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# THE 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.

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# PROCEEDINGS OF THE SABHA.

## REPORT OF THE DEPUTATION TO KOLHAPORE ON THE OCCASION OF THE RECENT INSTALLATION OF HIS HIGHNESS THE NEW MAHARAJA.

On the invitation of His Highness the Regent of Kolhapore a deputation of the Sarvajanik Sabha, consisting of Mr. Madhavarao Yeshwant alias Tatya Saheb Baste, Mr. Krishnaji Wasudeo Joshi, Mr. Gangaram Bhanu Mhaske and Mr. Sitaram Hari Chiplonkar left Poona for Kolhapore on Friday the 14th March last and reached their destination on the morning of Sunday following. That evening the members of the Deputation called on both Colonel Reeves, the Political Agent, and His Highness the Regent of Kolhapore. The next morning on the 17th they attended the Installation Darbar, and were on that occasion joined by His Highness Ganpatrao Harihar alias Babu Saheb Patwardhan, Chief of Kurundwad, and one of the Vice-Presidents of the Sarvajanik Sabha. After the local Municipal address had been presented to His Highness Shahu Maharaja Chhatrapati, the members of the Deputation with His Highness the Chief of Kurundwad at their head presented the following address which was read by Mr. Chiplonkar:—

To,

His Highness Shrimant JAYASINGRAO ABASAHEB GHADAGE SAR-  
JARAO VAJARAT MAH, Chief of Kagal and Regent of Kolha-  
poor.

May it please Your Highness.

We have been deputed by the Poona Sarvajanik Sabha to express on behalf of the Sardars, Jahagirdars, Inamdars, Sawakars and the Gentry, who are the members of the Sabha and represent the people of Maharashtra, our hearty congratulations upon the happy choice which the Dowager Ranees of Kolhapoor have made, with the approval of the British Government, of Your Highnesses' eldest son, Shrimant Baba Saheb, as successor to the Gadi rendered vacant by the untimely death of the late lamented Chhatrapati Shivaji Maharaj. The Kolhapoor Raj represents in these days the direct line of the descendants of the great Shivaji who founded the Marhatta Empire, and though its territorial limits are now confined to a small district, yet it is by reason of its traditions an object of reverence and affection throughout the whole of Hindusthan where ever the Marhatta influence extends. It is this national bond of allegiance and love which has brought us here to join with the people of Kolhapoor on this auspicious occasion in welcoming the new order of things, and taking part in the festivities to



which Your Highness with a rare appreciation of the importance of the event has been pleased to invite us as honoured guests.

The accession to the throne of a new sovereign is naturally an occasion of great rejoicings to those who have to live under his rule and to his well-wishers abroad, but there are peculiar circumstances which distinguish the present celebration from similar rejoicings on former occasions. For the past fifteen years owing to the untimely death in a foreign land of Rajaram Maharaj, and the ill health of the late unfortunate Shivaji Maharaj, Kolhapoor has been associated in the national mind with great misfortunes which filled the whole country with anxiety and lamentation. The choice of a successor to the Gadi was, therefore, watched with intense anxiety and interest throughout the country. People naturally longed for a relief from the tension of the past few years, and they anxiously hoped that those, who were entrusted with this difficult and responsible selection, would so exercise their discretion as to provide a natural and effective guarantee, so far as human forethought could guide them, against a recurrence of past misfortunes.

In choosing Your Highness' eldest son these guarantees have been effectually secured, and the national mind is once more at rest. Your paternal care will lead you to adopt effective measures for the proper training of your noble and royal ward, and to fit him to undertake in a few years the more arduous duties and responsibilities of his exalted position. The Kolhapoor Educational Institutions, which have been fostered under Your wise administration, will provide suitable education to the young Raja. Above all we look upon the continuance of the present Regency as the most hopeful feature of the situation. Your Highness as Regent in Council has already given many proofs of your great abilities, and we doubt not that with united and wise counsels the experiment, which was inaugurated under trying circumstances two years ago, will prove an unqualified success so as to redound to your Highness' own great honour, and justify the confidence which the authorities have shown in substituting the Regent in Council for the single administration of the Political Agent. We regard this substitution of Native for European agency as a distinct advance in the direction of promoting the highest education of Native rulers and maintaining the modified independence of Native States under effective guarantees for good government. Your Highness and the Councillors, who act with you, will have during the minority ample powers and opportunities to promote public weal and re-establish public confidence. A tame reproduction of the machinery of government which obtains in British India too often proves unworkable in Native States, but we observe with very great satisfaction that your Highness's Government happily tried its best to avoid such errors. The great Railway works which have been commenced in British territory will soon reach the outskirts of the Kolhapoor Raj and its feudatories, and before many

years [are] passed we hope that branch lines will be undertaken which will bring Kolhapoor within easy communication with the rest of the country. Hitherto the expenditure on Public Works, though unusually large for the resources of the State, has not been equally discriminating and reproductive, and we trust that a new departure will be made in this direction under Your Highness' administration. The revival of industrial pursuits has already engaged the attention of Your Highness' Government, and we were glad to learn that not only did Your Highness undertake the journey to Calcutta to see the Exhibition lately held there, but Your Highness also deputed several experts at the public expense to inspect the machinery displayed there with a view to its introduction in Kolhapoor. The extensive production of sugar-cane affords rare facilities for the establishment of sugar-refining manufactories in Kolhapoor, and we humbly suggest that this subject may before long be taken up for practical consideration. The many intelligent and noble wards of princely families, who attend the Sardar college at Kolhapoor, will be soon called upon to administer their Jahageera, and we trust that Your Highness' noble example will be followed by them, and that the Agency in Council will provide legitimate opportunities for their practical training in great affairs of State by taking their counsels and intrusting them with responsible work in gradual substitution of officers from foreign districts. The Rajaram College has already made its mark in the educational history of the Presidency, and we trust that with a larger allotment of funds it may be soon raised to the status of a fully equipped Arts College with classes attached for the cultivation of ancient learnings and modern sciences and arts. These are the several topics which will engage the attention of Your Highness' administration in the course of the next few years, and we feel every confidence that Your Highness will mind no sacrifice of personal predilection in the effort which will tax Your Highness' great powers to raise the Kolhapoor State into a model principality with an honoured nobility, a contented, thriving and industrious people with great reproductive works and developed manufactures, and an extensive system of public education not only in the learning but in the Arts and Sciences of Europe.

May your Highness rise to the elevation of this call, and may the State under your Highness' charge be handed over to your Highness' son and royal master, when he comes of age, more prosperous and happy than it ever was before. Your Highness' ancestors played a great part in the past history of this country. It has been given to your Highness their worthy descendant to play a still greater part in the present, for peace has its victories greater far than those of war.

In conclusion we thank your Highness for the great condescension your Highness has shown in welcoming us to this great assembly and receiving the Sabha's congratulations at the hands of this deputation.

After it had been read, the address was enclosed in a *Thaili* and presented to His Highness the Regent by His Highness the Chief of Kurundwad, whereupon Khan Bahadur Meherjibhai K. Tarapurwala, the acting Dewan, read the following reply on behalf of His Highness the Regent:—

GENTLEMEN,

I feel much obliged to you, as the representatives of the Poona Sarvajanik Sabha, for the able address you have been pleased to present me, and for the trouble you have taken in coming down to Kolhapur at my invitation, to take part in the festivities in connection with the adoption of my son as the Maharaja of Kolhapur. The great and sympathetic interest universally manifested by the people of Western India in the fortunes of the Kolhapur State in which is symbolised, in a modified shape, the traditional greatness of the Maratha race, deserves grateful acknowledgement on my part as the temporary representative of the State under His Highness the young Maharaja. Kolhapur has passed through a protracted crisis, but I trust God has in store for the young Maharaja, installed this morning on the Kolhapur Gadi, a long career of a happy and useful life worthy of the exalted position he inherits. I duly appreciate your solicitude for the education and personal comforts of the Maharaja, and I thank you much for the kind words and wishes which you have expressed about me in the address you have presented. I am deeply sensible of the great responsibilities, which rest upon me as the Regent of Kolhapur, but I hope, under God's grace, to be able to hand over in due time to His Highness the Maharaja, the administration of the State in a happy and prosperous condition. The valuable suggestions contained in your address will receive my careful consideration, and the consideration of my Colleagues in the Council.

I embrace this opportunity to express my high sense of the very useful services which the Sabha, you represent, is rendering to our country, by its indefatigable exertions, in representing to the Paramount British Power, in a spirit of sober independence and profound loyalty, the wants and aspirations of the people and in promoting between them a healthy understanding and sound relations in matters affecting the various interests of Native Society. The Poona Sarvajanik Sabha has become in a manner the recognized political organ of the people of Maharashtra, and I believe it is almost superfluous for me to state that it has won respect and admiration from the general public by its assiduous and prompt application to the various important public questions that have cropped up from time to time, and by the thorough grasp and practical wisdom with which its discussions are invariably marked. I therefore felt particular pleasure in inviting the representatives of such a useful and popular institution to take part in the

festivities marking the commencement of a new order of things, which, I trust, will confer upon the Kolhapur State, under the goodness of Providence, the blessings of a bright and happy future. I thank the Sabha for its having complied with my request.

Having thanked His Highness the Regent for the reply and the cordial reception accorded to them the Deputation withdrew.

That evening the members of the Deputation attended, by invitation, a Darbar held by the Political Agent. They were seated to the right of the raised *Dais* on which His Highness the Maharaja and the Political Agent occupied seats, and facing the members of the Council of Regency. On that occasion the Political Agent delivered the following address:—

Aba Sahab, Chiefs, Sirdars, Ladies and Gentlemen—I have invited you to attend this Durbar in order that I may publicly present to you the eldest son of the Regent, who was this morning, with the consent of Government, adopted by Her Highness Anandibai Sahab as son and heir to His late Highness Shivaji the IV., and ascended the *Gadi* of Kolhapur under the title of Shant Chhatrapati Maharaj. I need hardly assure their Highnesses the Ranees and the people of Kolhapur that the Government have the honour to represent deeply sympathies with them in the repeated disappointments they have suffered through the loss of three such promising princes as Baba Sahab Maharaj, Rajaram Maharaj, and the late Raja Shivaji IV. Baba Sahab Maharaj did not long survive his accession to power. Rajaram Maharaj died at Florence on his way back from England after having created a most favourable impression by his intelligence and winning all hearts by his charming manners. More recently we have mourned the death of H. H. Shivaji IV., whose unfortunate disorder clouded a mind which was beginning to give signs of having profited by the care bestowed upon him by Mr. Hammick and other gentlemen. Under these circumstances it is a subject of congratulation that the choice of a Raja, which has been made by their Highnesses the Ranees, has met with such general approbation.

Within a comparatively short time there have been three failures of direct heirs to the throne of Kolhapur, and the prompt action of Government in settling so satisfactorily this succession, which perpetuates the royal line of Shivaji the Great, must convince you of the readiness of the British Government to act up to solemn promises of Her Most Gracious Majesty the Queen Empress, and its constant solicitude for the welfare of the subjects of Native States.

It will be some years before the young Raja is old enough to manage his Principality, which will accordingly be administered by the Regent, his natural father, who has already so satisfactorily carried on the Government for exactly two years. In the meantime it is intended to give His Highness the best education in order to fit him for the responsible position to which he has been raised. Aba Sahab's ideas about bringing up his boys are more advanced than many people would suppose. He would wish to send his sons to England for 6 or 7 years to be educated first at a good school and then at College, and if as regards the Raja this programme or by part of it is carried out, we may hope to have in the person of His Highness a strong link between Englishmen and the natives of the country. A liberal education supplemented by extensive travel will enable the Raja with his influence

and high position to introduce measures and ventilate ideas which might be liable to misconstruction if they emanated from Europeans. Should the son when he grows up answer his father's expectations, his accession to the *Gad* this day will not only be a happy thing for Kolhapur but for India at large.

His Highness has very good abilities, and his natural disposition is kindly and considerate. He has already shown that he is fond of riding and manly sports, so there is every probability that with good training Baba Sahab will prove a judicious and popular ruler amongst Mahrathas. I should like it to be said of the Raja in years to come that his policy is one of wise and wary conservatism in the sense in which that expression has been used with reference to the late Sir Salar Jung by the author of a new History of the Nizam's Dominions.

I was very glad this morning to see a deputation from the Sarvjanik Sabha at the Installation Durbar, and welcome them on an occasion like the present.

For forty years we have been improving the Kolhapur State, and we have the highest authority for saying that this principality is in a very advanced state whether we look to its Revenue, Judicial, Public Works, Educational, Medical, Sanitary, and other departments, and I feel sure that the members of the Agency acting together with that unanimity which has characterised their councils hitherto will carry on the good work. In the immediate future we hope to perfect a scheme for the drainage of the town of Kolhapur, to make arrangements to bring a branch line into Kolhapur from Miraj, which will be our nearest point on the Southern Mahratta Railway. We also hope to reforest our section of the Syhadri range and the various spurs running eastward from it. Nor shall we be forgetful of the other numerous requirements of this country. One great want is cheap coal, a want similarly felt in other parts of India; and if we could find coal or import it cheaply, we should be able to work our slate quarries in the neighbourhood of Torgal at Katke and supply, you with slates in your schools and for your houses; we should be able to make the most of our abundant crops of sugarcane and possibly to manufacture sugar itself. There are other industries also which can be started with reasonable hopes of success, but they all depend upon a solution of this—if I may so call it—burning question.

In conclusion, I will take this opportunity of offering my hearty congratulations to such of the Chiefs and Sardars under this Agency (some are present and some are unavoidably absent) as have had or are having marriage and other auspicious ceremonies in their families, and to express my regret that important public business prevented my accepting their cordial invitations which I should have much wished to do.

Aba Sahab,—I beg to offer you my most hearty congratulations on the happy events which have taken place this day, and trust—and I am sure I am echoing public sentiment—that you will live many, many years to see your son, H. H. Shahaji Chhatrapati, reigning in Kolhapur.

Long life and prosperity to H. H. the Maharaj of Kolhapore.

Having taken leave of the Political Agent and His Highness the Regent the Deputation left Kolhapore on the return journey on the night of Thursday the 20th March 1884, reaching Poona on the morning of Sunday following.

## THE GOVERNMENT OF INDIA IN ENGLAND.

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THE Government of India by England has been a grand experiment ever since her acquisition by what Sir George Cornewall Lewis very appropriately and happily termed "an insubordinate and mutinous race" of the servants of the East India Company against the express orders of their masters. The experiment is unprecedented in the annals of the world's history, and the success so far of the grand experiment is mainly attributable to the fact that the British nation, through its representatives in Parliament, and the British Government have always evinced an honest desire to ascertain, firstly, what the facts bearing upon the condition of India, and the wants and aspirations of her people are; and secondly, how far those wants and aspirations can be best met under the existing circumstances of the country. As a conclusive proof of this statement, we have simply to refer the reader to the well-known fact, that in the old days of the East India Company, which used to have its charter renewed periodically, the periodical renewal of that charter was invariably preceded by a searching and exhaustive inquiry regarding the condition of India and the wants and aspirations of her people. By far the most notable of these inquiries was in the last quarter of the last century, an inquiry which led to the memorable impeachment of Warren Hastings by the House of Commons at the bar of the Upper House, and also to the systematic Parliamentary interference in the affairs of the East India Company by the establishment of the Board of Control in 1784. Before the renewal of the charter in 1813 and 1833, similar inquiries were instituted which resulted in the abolition of the monopoly which the East India Company had enjoyed in regard to its commercial relations with India and China. The latter occasion ought to be

specially remembered, because it was then for the first time authoritatively declared and enacted that all Natives of India, without regard to colour, descent, or religion, should be eligible to every office under the Government which their education and acquirements might qualify them to fill. In the same way the last renewal of the charter in 1853 was preceded by the institution of a searching inquiry into the condition of India,—an inquiry to which must be mainly attributed the considerable progress that this country has made during the last thirty years. Among the most prominent features of the Government of India Act of 1853, there are two which deserve special attention. That Act did not fix any limit whatever to the charter as regards its period of duration, but expressly reserved to Parliament the power of amending or repealing the same whenever it should deem it fit to do so. And the other feature referred to was that the Indian Civil Service, the patronage of which had up to that time been vested in the Court of Directors of the East India Company, was thrown open to unlimited public competition. When the clause bearing upon this subject was being discussed in the Committee of the House of Commons, the then President of the Board of Control, Sir Charles Wood (now Lord Halifax) declared that “it was the intention of the Government on this point to adhere to its original proposition, and to throw all admissions to Haileybury open to public competition, *the natives of India being admissible to that competition equally with Her Majesty's other subjects.*” The grand rebellion of 1857, which forcibly drew the attention of the British nation and the British Parliament to India, resulted in the abolition of that historic corporation, the East India Company, much earlier than would probably have otherwise been the case, and in the consequent transference of the direct sovereignty of the East Indies to the British Crown. No inquiry preceded this last act of the British Legislature, and so it may be said that there has been

no Parliamentary inquiry into the condition of India during the past thirty years. Twenty five years have now elapsed since the transference of the direct sovereignty of India to the British Crown, and it is certainly high time that there should be a searching and exhaustive inquiry into the working of the last Government of India Act of 1858, as amended in some particulars by the Acts of 1869 and 1876. Then and then only can Parliament see whether or not any changes in the constitution of the Home Government of India are necessary. When the present Liberal Government came to power in the spring of 1880, we had great hopes that before long the much-needed inquiry would be instituted by the appointment of a Parliamentary Committee, and that before the dissolution of the present Parliament a new Government of India Act would probably be passed. It is necessary to briefly state our reasons for having cherished this belief.

Without any intention whatever of in any way under-valuing the valuable services of some of the most eminent public men in England, we may safely say without any fear of contradiction that of those eminent men, who have during the last fourteen or sixteen years made Indian questions their speciality, Professor Henry Fawcett, who has rightly earned the honourable distinction of "the Member for India" by his persistent, disinterested, and able advocacy of the interests of the otherwise almost unrepresented millions of India, has been most conspicuous. In 1879 Professor Fawcett wrote three articles on Indian Finance in the February, May and October numbers of the *Nineteenth Century*, which three papers he published in a separate volume towards the end of January 1880 with an instructive introductory chapter. In this introductory chapter, to which we refer the reader, Professor Fawcett made out a strong case for the appointment of a Parliamentary Committee of Inquiry into the working of the Government of India Act of



1858. In the closing paragraph of that introductory chapter, Professor Fawcett very prominently referred to the sacrifice by Lord Lytton in a period of severe financial pressure of an important branch of revenue in direct opposition to the wishes of a majority of his Council, and to the adoption by the Secretary of State for India, without the consent of his Council, of a policy which led to the last Afghan war, as instances conclusively showing that there was little hope of effecting any real and permanent improvement in the finances of India, unless some more adequate financial control was provided than that which was furnished by the present system of administration. After having thus shown that the control now exercised by these two Councils was most inadequate, Professor Fawcett closed his introductory chapter in the following terms:—

“Few problems in Government can be more difficult than to devise the best means by which this control can be supplied. It is a problem which can only be properly solved after the most careful inquiry, which will enable due consideration to be given to the opinions of those who can speak with the greatest authority and experience. Although therefore it would now be premature to attempt to indicate the changes which should be introduced into the Government of India, no one, I think, can deny that events are every day happening which show that the reform of her administration is a matter of such urgent importance that *an inquiry as to the best means of effecting it ought to be one of the first subjects to engage the attention of the new Parliament.*”

Hardly two months elapsed since Professor Fawcett wrote these words when the then Parliament was dissolved, and the new elections resulted in the triumphant accession of the great Liberal Party to power, with Mr. Gladstone as the head of Her Majesty's new Government, and with Professor Fawcett, who had, as shown above, strongly advocated that an inquiry into the best means of effecting a reform in Indian administration “ought to be one of

*the first subjects to engage the attention of the new Parliament,"* as an important member of that Government. If we are not much mistaken, Mr. Gladstone himself also in his brilliant speeches during his now memorable Midlothian campaign suggested pretty nearly the same thing. But though the present Parliament has now entered upon the fifth year of its existence, nothing has as yet been done, nor is there any indication that Her Majesty's Government think of doing anything in the matter of affording any facilities towards the accomplishment of the object in view. The senior Member for Manchester, Mr. John Slagg M. P., was to have moved a Resolution on the subject on the 18th March last, but before he could move the Resolution, the House was "counted out." This move clearly shows that Her Majesty's Government are not disposed to afford any facilities whatever in raising a debate on the question of the "Council of India." We are willing to admit that Mr. Gladstone's Government has had during the last four years several difficulties to contend with, first Ireland, then Egypt, and now Soudan, which difficulties must have probably distracted their attention from this Indian question. We think, however, that a Parliamentary Committee of Inquiry into the working of the Government of India Act of 1858, as amended by the Acts of 1869 and 1876, should have been long before appointed. There seems now no chance of such a Committee of Inquiry being appointed, as it is apprehended that the dissolution of the present Parliament is nigh at hand. It is to be hoped, however, that, whatever be the result of the approaching elections, the subject in question will engage the early attention of the new Parliament.

The importance of the subject can not be too highly estimated, for after a long and mature reflection the conviction has very strongly grown upon us that the future advance of this vast country mainly depends upon the constitution of the Home Govern-

ment of India. It is not our intention to go fully into the subject on the present occasion, but we can not resist the temptation of drawing the attention of the reader to a few very remarkable features in the treatment which India and Ceylon have received at the hands of one common mistress. There are many points of difference, but we shall for the purpose of our argument allude here to only three or four of them. Firstly, then, the race disqualification, which was sought to be removed by the Ilbert Bill, does not exist in Ceylon, where the Native and European Magistrates and Judges enjoy similar powers as regards their jurisdiction over European British born subjects. Secondly as regards the maximum limit of age for candidates competing for the Civil Service Examination of Ceylon it is even now fixed at 24, while with us the maximum limit is fixed at 19, thus practically shutting the door of public competition to the natives of India. Thirdly as regards the disestablishment of the English Church, Ceylon has already obtained what it wanted, while we in India can hardly be said to have entered upon even the first stage of the question. And fourthly and lastly, the Ceylon Legislative Council has for several years past been representative in its character, in as much as the independent or non-official members of that Legislature are elected by the respective communities which they represent, and not nominated by Government as in India. In this connection, it has also to be borne in mind, that the independent members of the Ceylon Legislature have the privilege of interpellating the official members of the body on executive matters,—a privilege which is entirely denied to us in India. But by far the most important feature in connection with the powers and privileges of the Ceylon Legislature remains yet to be told. That feature is that that Legislature possesses a complete control over the finances, in that the annual budget must be discussed and sanctioned by it. In India it is different. The Indian budget is never submitted

to the Legislature for approval and sanction except upon those occasions when new taxation is contemplated. Thus it comes to pass that so long as the Indian Government can manage to pull on without additional taxation, the Indian Legislature has no opportunity afforded to it of examining and criticising the budget. The importance of this last mentioned privilege can not be exaggerated. That single privilege has given to Ceylon an immunity, which India may well envy, from having to bear oppressive burdens which do not rightly belong to it. Ceylon has never had to bear, for instance, the cost of the Abyssinian War, of the Egyptian expedition, or of the entertainment to the Sultan of Turkey when in London. The question therefore naturally arises, what is the cause of this difference in the treatment which India and Ceylon receive at the hands of Her Majesty's Government. It cannot be that the Cingalese or the natives of Ceylon are superior to the Hindus in intelligence, political capacity, and civilization; for we have the authority of the late Sir Erskine Perry in stating that the Cingalese are "inferior as a race" to the Hindus. In his speech during the course of the debate on the motion by Viscount Palmerston in the House of Commons for leave to introduce his India Bill, Sir Erskine Perry said that "he knew the island (Ceylon) well, and was able to say, that notwithstanding the inferiority of the Cingalese to the Hindus as a race, the improvement, the progress and the civilization that had taken place there, under the Queen's Government, were infinitely greater than could be boasted of in India." Since 1858, India too has been under the Queen's Government for the last twenty-five years, and nevertheless she has not yet been able to overtake Ceylon. That island still maintains its superiority over the main continent, almost as intact as ever. Whether India would fare as well as Ceylon if she were governed on the same principles on which that Island is governed, for it must be remem-

bered that Ceylon is a colony of the Crown, and is governed pretty nearly on the same principles on which the other colonies of the British Crown are governed,—whether in fact India should be treated as though she were a colony consisting of several federal states, is a question which we are not on the present occasion prepared to go into. We have simply stated the facts as they stand, desiring the reader to draw his own inference after the perusal of the following pages in which we shall endeavour to give a brief history, from the earliest period, of the constitution of the Home Government of India. It is only by studying that history very closely that we shall be able to suggest the necessary changes in that constitution.

The first occasion on which Parliament interfered in the affairs of the East India Company was in 1773, when, under Lord North's administration, what is known as the Regulating Act was passed, and power was taken to place a control, not on the Company in London, but on the local Government in India. The members of the local Council were named in that Act, but the result of that attempt at Parliamentary control was disastrous, as it led to dissensions without end in the Council, duels between two of the members, and a conflict with the Supreme Court. This experiment ended with a conviction on the part of Parliament that the endeavour to subject the local Government to direct Parliamentary control was a complete failure. By the same Act power was taken for the Secretary of State and the Board of Treasury to examine all the correspondence received in England from India. In 1781 similar power was taken in respect of the correspondence sent to India by the Board of Directors. In 1782 and 1783, two Committees of the House of Commons were appointed, one presided over by Mr. Edmund Burke, and the other by Mr. Dundas, and these two Committees made not less than seventeen reports, so full and exhaustive were their inquiries into the affairs of the East India Company. Towards the end of

1783, Mr. Charles Fox brought in his famous India Bill, which, if it had been passed, would have at once deprived the East India Company of all connection with the Government of the country. Mr. Fox's Bill, though it was passed by the House of Commons, was, owing to the intrigues of the Court party, rejected by the House of Lords. Mr. Pitt, who then came into office, succeeded in passing his India Bill which established the Board of Control, the President of the Board being a Minister of the Crown, and the organ of the cabinet in dealing with the Court of Directors. The Board of Control became from that day the real Government of India with power to direct in all respects the acts of the Court of Directors. In 1793 Mr. Dundas, then President of the Board of Control, took advantage of the renewal of the Company's charter for a period of twenty years to consolidate all the existing enactments on the subject of the Company, giving them greater definiteness and greater precision, and he brought to complete perfection the system of the double government originated in 1784. So far as this part of the question is concerned, we may safely observe that the Home Government of India, as it was finally established in 1793, continued in force for sixty years until 1853, when again a new departure was made in the constitution of the Home Government of India.

It is here necessary to observe that an important change took place in 1817, when the Earl of Buckinghamshire was President of the Board of Control. He found that the East India Directors could not write their own despatches, and therefore he immediately requested that a class of men should be appointed to do that business for them, and those persons were introduced under the name of Examiners, and these persons virtually shaped the policy of the Government of India. To this class of servants belonged James Mill, John Stuart Mill, Sir James Melville and others.

The legislation of 1853 was preceded by the appointment of a Committee of Inquiry, but the legislative measure in question was introduced by Lord Aberdeen's Government long before the Committee had hardly finished the inquiry on the first of the eight heads into which the Committee had divided the subject. That head had reference to the machinery by which the Government of India was carried on in England, and after having examined some 18 witnesses, every one of whom had been officially in the employment of the Court of Directors or of the Board of Control, the Committee came to a kind of qualified Resolution approving the conduct of the Government of India. It seems that Lord Aberdeen's Cabinet was not unanimous as to what shape the new legislation should take, for some of the members of the Cabinet were even then prepared to abolish the East India Company, and to transfer the Government of India to the Crown. There were those, however, who were opposed to such a summary extinction of that historic corporation. The legislation of 1853 was, therefore, a compromise between these two extreme and conflicting views. It was, however, resolved not to renew the charter as in times past for a period of twenty years or for any definite shorter period, but only during the pleasure of Parliament. Sir Charles Wood was then President of the Board of Control, and as such had charge of the Bill in the House of Commons. On the 3rd June 1853 Sir Charles Wood introduced his Bill in a speech of five hours' duration. In the first part of that speech, he naturally enough endeavoured to briefly summarize the evidence given before the Committee of Inquiry, and to make out a case for the Bill. He described the provisions of the Bill as affecting the constitution of the Home Government of India as follows :—

What we propose to do is—leaving the relations of the Board of Control and Board of Directors as they stand—leaving the responsibilities of this House, and of the Minister who holds the situation which

I now have the honour to fill as they now are—to improve the constitution of the Court of Directors, limiting their patronage, and imposing some check on the higher appointments made by them in India.

The Court of Directors consists of thirty members, but twenty-four only sit at one time, whilst six are always out by rotation; and though the Directors are subject to an election every four years, they are practically elected for life.

We propose to reduce the elective members to twelve, and to add to them six to be appointed by the Crown from persons who have served ten years in India. Six of the elected Directors must also have served in India for the like period. That will make a Court of Directors consisting of eighteen persons. It was suggested that the Court themselves should select one-third of the number; but it appeared to us that the Directors so chosen by a majority of the persons amongst whom they are to sit, would be placed in a position dependent upon those by whom they are appointed, and we thought it better that they should be nominated on the responsibility of the Crown, and named from persons, who had been at least ten years in the service of the Crown, or the East India Company in India. The appointment in this manner will obviate the objection that the best of the Indian servants do not obtain a seat in the Court of Directors. It has been shown beyond doubt that many of those most competent to take a part in the Government of India—coming home from thence, and fully able in this country to take an active and useful part in the administration of its affairs—are deterred by the canvass from trying to obtain a seat in the Court of Directors; and we believe we shall improve the efficiency of the Court by placing in it, without the necessity of going through a canvass, persons of that description. The Government can have no object but that of placing the most efficient men in this situation; and in consequence of their selection being confined to Indian servants, any nomination for party purposes, or from party considerations, is, as far as possible, guarded against. We propose that one-third of this number should vacate their seats every second year, but be eligible, or be capable of being nominated again without the interval of a year. Great inconvenience is now experienced by the intervening year, when Directors are out by rotation, and if they are fit to be in the Court at all, there is no reason why that interval should exist in their service. With regard to the elected members, we do not propose to make any changes in the nature of the constituency by whom they are elected. We do not propose, as was suggested by some, to add the holders of the securities of the East India debt, because in that case people residing in India must be included, who, if they vote at all, can only do so by proxy. Neither shall we add, as has also been suggested, all those who have served in India, because the retired



officers of the Indian army are so numerous in comparison with all other persons retired from the Company's service, that, as stated in Mr. Campbell's book, if we adopted this course we should throw the whole election into the hands of the Indian officers, and should not, therefore, give that fair share of influence to other parties to which they are entitled. I do not think, from all I can gather upon the subject, that any great advantage could be derived from increasing the number of the persons entitled to vote in the election of Directors, and I propose, therefore, to make no alteration in that respect.

We do not contemplate to effect the whole of this change at once. We propose in the first instance—that is on the expiration of the Charter in April next, that the present thirty Directors should select fifteen of their number, and that the Crown should select three persons, who have served ten years in India. These will make the eighteen, who will be the first Directors of the East India Company under the new arrangement. Then the first three vacancies that occur in the elected Directors will be filled up by the nomination of the Crown until the full number of six members so named is completed. That once done, all future vacancies in the elected Directors will be filled by election, and all future vacancies in the nominated members will be supplied by nomination, so as to maintain permanently twelve elected and six nominated members. We propose that every Director should serve for a period of six years; one-third of the Court, both of those elected and those nominated, going out every second year, but being capable of re-election or re-nomination, as the case may be. All the persons to be nominated by the Crown, and six of the elected Directors, must have served either the Company or the Crown ten years in India.

As the scope of this paper is very limited, we need not stop to look into the other provisions of the Bill. The Opposition objected to the Bill chiefly on the ground that the inquiry had not yet been completed, and that before it was so completed, it was premature to frame a scheme for the Government of India. They accordingly urged upon Her Majesty's Government the advisability of passing a continuance Act for a period of two years, during which time the Committee would be able to furnish a report after an exhaustive and searching inquiry, upon the basis of which report Parliament would be better able to discuss the scheme for the future Government of India in the light of full information. The independent members of Parlia-

ment, chiefly represented by Mr. John Bright, Mr. Richard Cobden, and others of the Manchester school, were even then disposed to transfer the Government of India to the Crown. The Government of Lord Aberdeen, however, was powerful, and having been backed up by a strong majority, carried their Bill. At a later stage of the discussion, Mr. Hume, the Member for Montrose, moved a clause which had for its object the extension of the constituency of the Court of Directors by adding to the then existing constituency "all holders of Company's paper to the value of 10,000 rupees," and also "every civil and military servant who has served the Company for twenty years in India, and who shall have retired from the service of the Company." There were also several other proposals for enlarging the constituency, but every one of them was objected to on the ground that it would be "inconsistent with the charter of the Company and the decision of the House that the Government should be vested in the East India Company—namely, the proprietors of the East India stock." It will be remembered, however, that those who objected to the existing arrangements urged that canvassing for votes was deemed by the best men to be very degrading, and the object of these amendments was to so enlarge the constituency as to render canvassing impracticable, if not altogether impossible. There were those also who objected to these amendments on the ground that they were simply devices to mend the bad system then existing. Mr. Danby Seymour, Member for Poole, very wittily expressed this view. "In considering this Bill," he said, "he was reminded of the old story respecting Pope, who had a habit of saying 'God mend me!' which being overheard one day in the street, he was answered, 'God mend you, you ugly little brute! Why, it would be easier to make a new one altogether.' So he said of the Bill. It would be better by far to introduce an entirely new form of government, and he should not vote for any attempt to mend the

present bad system." All these amendments were eventually negatived by large majorities. Lord Aberdeen's Government was so conscious of its strength that it did not yield upon any of its original important proposals, excepting one which related to the salary of the President of the Board of Control. Mr. Vernon Smith, Member for Northampton, moved a clause having for its object the enlargement of the salary of the President of the Board of Control, and the consequent elevation of his status in the Cabinet. This clause having been passed by an overwhelming majority, Mr. Monckton Milnes, Member for Pontefract, sarcastically observed that "as a person deeply interested in this measure he begged to tender his thanks to the government for having allowed this *one* amendment to pass." With some minor amendments subsequently adopted both in the House of Commons and in the House of Lords, the Bill was eventually passed. The salary of a member of the Court of Directors, which was £ 300 per annum before, and of the Chairman and Deputy Chairman £ 500 each per annum, was increased in the former case to £500, and in the latter to £1,000 per annum, on the ground that, by throwing the Indian Civil Service open to public competition, they were deprived of a considerable portion of their patronage. Before we close our summary of the legislation of 1853, it is but just to observe that petitions had gone forth from Bombay, Calcutta and Madras, setting forth the shortcomings of the Company's administration during the preceding twenty years, and praying for a full and searching inquiry, and also that the contemplated renewal of the charter be confined to a shorter period than before. Against these petitions one general objection was urged by the Government that they were not the spontaneous expression of opinion on the part of the people of India, but that they were got up at the in-

stigation of a few English agitators.\*

We now come to the legislation of 1858. The history of this legislation is very interesting. When the second Session of the seventeenth Parliament was opened on the 3rd December 1857, Her Majesty the Queen opened the Session in person. In the Speech from the Throne there was of course a prominent allusion to India in connection with the Rebellion then raging. The allusion to India in the Royal speech closed with these significant words:—"The affairs of my *East Indian* Dominions will require your serious consideration; and I recommend them to your earnest Attention." These words led Her Majesty's Opposition to ask for definite information as to whether Her Majesty's Government intended to introduce an India Bill during that Session. Her Majesty's Government replied in rather equivocal terms to the effect that they would answer that question fully after the re-assembling of Parliament in February following after the Christmas recess. It would seem that government had not finally made up their mind in regard to the subject, but that during the Christmas recess they finally resolved upon the abolition of the East India Company and the transference of the Government of India to the Crown. Accordingly on the reassembling of Parliament on the 4th February 1858, notice was given in the House of Commons that a Government of India Bill would be introduced on the 12th Instant. As soon as the Company was apprized of the intentions of Her Majesty's Government with respect to the future Government of India, that corporation made one supreme effort to avert the fate, which awaited it, by petitioning both the Houses of Parliament. That do-

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\* We think it will be useful if we give here the number of signatures each of those petitions bore. The Madras petition bore 4,000 signatures, the Bombay petition bore about 3,000 signatures, and the two Bengal petitions, one from the British Indian Association, and the other from the Christian inhabitants, bore respectively 7,000 and 1,250 signatures. There were besides a few petitions from a few towns in the United Kingdom.

cument, which has an historical interest, recounted the Company's past services in acquiring that eastern dominion for the British Crown, referred to its successful administration of the vast territory entrusted to its charge, and to the efficiency of its military establishments; as tested in times of exceptional difficulty and danger, and lastly appealed to Parliament in the name of the people of India who, it was alleged, would regard its (Company's) exclusion from any part in the Government of that country as the first successful attack on the principles of which they regarded the Company as being peculiarly the guardians, the principle that the Company in its administration of India never acknowledged any "such distinction as that of a dominant and a subject race" but that on the contrary it always held that "its first duty was to the people of India." We have serious doubts whether the character, which the Company in a mood of self-laudation gave to itself in this remarkable document, would not have been unanimously scouted as preposterously absurd by the people of India. We for our part at any rate are prepared to record our firm belief that whatever concessions this country has to be grateful for during the period that the Company's rule lasted were the spontaneous gift of the great British nation evincing its magnanimity through the British Parliament, and not of the East India Company, which corporation, if it had been allowed its own way, would not-unlikely have withheld those gracious concessions from us. We are prepared to endorse almost every word of the cutting criticism to which Sir George Cornwall Lewis, the then Chancellor of the Exchequer, subjected the Company's petition.

Pursuant to notice Viscount Palmerston, on the 12th February 1853, moved for leave to introduce his India Bill, which had for its principal object the transference of the Government of India from the Company to the Crown. In the opening portion of his

speech the noble Lord disclaimed any feeling of hostility to the Company, or any intention to impute any blame or censure to the Company for its administration of India. He said Her Majesty's Government recommended the particular course proposed "not on the ground of any delinquency on the part of the Company, but on the ground of the inconvenience and injurious character of the existing arrangements." He also referred to the extraordinary fact that those "regions in which science and art may be said to have first dawned upon mankind should now be subject to the rule of a people inhabiting islands which at a time, when these eastern regions enjoyed as high a civilization and as great prosperity as that age could afford, were in a state of utter barbarism." Then after having referred to the still more extraordinary fact of the acquisition of India to the British Crown, not by the power of a nation as a nation, but by a mercantile community, and after having shown the inconvenience and injurious character of the existing arrangements, the noble Viscount described his scheme for the future Government of India in the following terms :—

We wish to alter things as little as we can consistently with the great object which we have in view. That object is to make the responsible advisers of the Crown answerable for the Government of India as well as for that of all other possessions of the Crown beyond seas. We wish that the affairs of India should be administered by Ministers responsible to Parliament for the manner in which that country is governed. We propose, therefore, that the functions of the Court of Directors, and, of course, of the Court of Proprietors, shall cease ; that there shall be substituted for those bodies a President, assisted by a Council for the affairs of India ; that that President, of course, shall be a member of the Government, and shall be the organ of the Cabinet with reference to all matters relating to India ; but, as men who have distinguished themselves in public life in this country, and who are likely from time to time, as changes of Administration occur, to be placed at the head of that department, cannot be supposed to possess that detailed local knowledge which is essential to the wise government of the country, we propose, that the President shall be assisted by a Council composed of persons named by the Crown, with the condition that they shall either have been Directors of the East India

Company, have served for a certain period in India either in a civil or military capacity, or have resided there a certain number of years unconnected with the local administration. We propose that that Council shall consist of eight members, that the members shall be appointed for eight years, and that two shall retire by rotation every second year, in order that successive Administrations may have the means of renewing the Council from time to time by the introduction of persons returning from India with fresh knowledge and ideas. We think that while, on the one hand, the permanency of a Councillor for eight years will make him an independent adviser of the President, he will not, on the other, by being appointed for life, block up the way to the accession of other persons who may from time to time appear more capable of serving the country. Of course, as the proposal is to transfer to the Government of the day full responsibility for the management of Indian affairs, and as the President will be the organ of the Cabinet upon Indian matters, just as the Secretary of State for the Colonies and the Secretary of State for Foreign Affairs are the organs of the Government in regard to the departments under their respective care, the decision of the President must be final in all matters which may be treated of in the Council. But, nevertheless, we propose that, if the Councillors differ in opinion from the President, they shall have the right to record that difference, together with their reasons, upon the Minutes of the Council, so as to be able to justify themselves afterwards for the advice they have given. The full power of the President, however, will not extend to matters involving increased expense to the Indian revenue; and, for purposes of that sort, it will be necessary that he shall have the concurrence of four Councillors to any proposals which he may have to submit. In the temporary absence of the President a Secretary of State will be able to act for him, and four members of the Council will be a quorum for the transaction of business. We propose that the Council shall have the power of distributing among themselves the business which comes to them, so as to allot different departments of business to different members of Council, who will of course, make reports to the Council itself.

All powers vested in the Court of Directors were by this Bill to be transferred to the proposed Council, and the Councillors were to receive £ 1,000 per annum each as their salary. In the same way the powers vested in the so-called Secret Committee of the Court of Directors,—but which was really a contrivance whereby the President of the Board of Control relieved himself of the responsibility, while in fact he wielded absolute power under the shelter of that Committee,—

were proposed to be transferred to the President of the new Council as the organ of the Cabinet. As regards the other provisions of this Bill, we need not stop to inquire, as such an inquiry is foreign to our subject. The Opposition objected to the proposed legislation mainly on two grounds, firstly because the time was inopportune, when a grand rebellion was still raging in India, and secondly because Parliament had not before it the information requisite to enable it to decide what should be the direction of the reform that ought to be made in the Government of India. These were the only two grounds on which it was sought to oppose the introduction of the Bill. Among those, however, who supported the proposal for the transfer of the Government of India to the Crown, were some who, like Mr. Roebuck, contended that India should be governed by a Secretary of State without any Council of "old Indians" to assist him with advice. It is an open secret that even among the members of Viscount Palmerston's Government there were some who considerably, if not to the fullest extent, supported that contention. Mr. Roebuck stated this point of view very clearly in his speech during the debate on the motion for leave to introduce Viscount Palmerston's India Bill. He said it was necessary to draw a distinction between the Government of India in England and the Government of India in India, and a clear distinction must be recognized between the two in all arrangements for the government of that country. First they had to arrange the machinery in England which should bring to bear upon the actual Governors of India the opinion of the Parliament and people of England, and make them realize their responsibility to that opinion; and secondly, they had to constitute the Government in India which should carry out their plans when they had been matured in England. Having made such a distinction, Mr. Roebuck proceeded to add that for the first operation they did not require any knowledge of the



people of India, a knowledge of the general principles of human nature being all that was required. The system of double Government had destroyed all responsibility and all efficiency in the Government of India by the East India Company, because the responsibility was so much weakened by being divided that nobody felt or realized the responsibility. As to the India Bill of Lord Palmerston he thought its great mistake was the institution of the Council, which would continue the system of divided responsibility then in force. He said the fact that the Council was to consist of "old Indians," strengthened his objection all the more; because there were to be found in England men far more capable of governing India than any "old Indian" whatever. The petition which had been presented to both the Houses of Parliament by the East India Company, protesting against its contemplated extinction, was generally believed to have been drawn up by Mr. John Stuart Mill, then in the service of the Company; and having alluded to that wide-spread belief, Mr. Roebuck pointedly asked, on being interrupted with a negative to his former statement about the "old Indians" being less capable than some men in England, whether the author of that petition was not far more capable of governing India than any "old Indian?" Sir Erskine Perry, who took part in this debate, supported the Bill, and in his speech referred to this point. He said he would not deny an assertion frequently made by the advocates of the Company that the Indian Government had been animated by purer and more benevolent motives than any other Government that ever existed. Sir Erskine Perry, however, added that his complaint was that their practice had not been in accordance with their principles, the reason of which was that their state papers, which were admirable, were drawn up by their clerks, by Mill and Macculloch and Melville, but the voting lay with the Court

of Directors. He then instanced a case illustrative of this divergence of their professions and practice, which had reference to a scheme for promoting education, drawn up by the then Board of Education in Bombay, of which Board, it will be remembered, Sir Erskine Perry was the President, on the lines of a despatch received from the Court of Directors, but which scheme, after having been left unnoticed for three years, was eventually flatly negatived.

Several other members took part in the debate which occupied three nights, and in the end the motion for leave was carried by a majority of 145 in an almost full House. This was on the 18th February 1858. But on the very next day, Lord Palmerston's Government was turned out of office by a vote of censure on the motion for the second reading of the "Conspiracy to murder" Bill. The Earl of Derby then came into power with Mr. Disraeli as the Chancellor of the Exchequer, and the Earl of Ellenborough as the President of the Board of Control, and his son Lord Stanley (now the Earl of Derby) as the Colonial Secretary. The members of Lord Derby's Government had opposed the motion of Viscount Palmerston for leave to introduce his India Bill on the ground that the time was inopportune, and that Parliament had not had before it the requisite information to enable it to effectively legislate for the future Government of India. In the first statement, however, in the House of Lords, which constitutional usage required him to make on coming to office, Lord Derby made an announcement to the effect that his Government intended to introduce an India Bill of their own, which was then being prepared by the Earl of Ellenborough,—a Bill which, the noble Earl added, would effect most of the objects contemplated by the Bill of the late Government, and would at the same time be free from some of the objections attaching to that project. His Lordship admitted that he and his colleagues had at first deprecated legislation regarding India at that time, but he

said that the result of the debate in the House of Commons on the motion by Viscount Palmerston for leave to introduce his India Bill had altered the case ; for that vote affirmed the proposition that it was desirable to consider the question immediately, mainly with the object of effecting the transfer of the Government of India to the Crown, and because the Company after such a vote could not command the same amount of public confidence and public support as they were entitled to receive at such a crisis and which as a matter of fact they enjoyed previous to the decision of the House of Commons. Such a decision having been come to, Mr. Disraeli on the 26th March 1858 moved for leave to introduce the India Bill No. 2, which differed only in one, but a very important, provision from its predecessor, and this difference related to the proposal about the composition of the Council. We shall accordingly confine ourselves to a brief summary of those proposals. It was proposed, then, that the Council should consist of eighteen members, half of whom should be nominated, and the other half elected. Out of the nine to be nominated, the civil service of the three Presidencies of Bombay, Bengal and Madras were to furnish each a member, the fourth member was to be from among the civil services of the provinces directly under the Governor-General, the fifth member was to be a political officer, acquainted with the character and feelings of the Native Princes by a personal experience of Native Courts, the sixth was to represent the Queen's army in India, and the remaining three to represent the Bombay, Bengal, and Madras armies respectively. The qualification in the case of eight out of these nine members was to be at least ten years' service in India, while in the case of the representative of the Queen's army, the qualification was to be at least five years' service in India. As regards the nine elected members, it was proposed to divide them into two sets, one to consist of four, and the other of five members. The candidature for the places in the first

set was to be left open to any man who had served the Government of India or Her Majesty in India in any capacity for ten years, and also to any man who resided there for fifteen years in the pursuit of agriculture, commerce, or any liberal profession. The constituency to elect these four members was to be formed as follows :—every person who bore the commission of Her Majesty or the Government of India for ten years, and was residing in England ; any man who had been in the civil service of Her Majesty in India or of the Government of India for ten years ; every registered proprietor to the amount of £2,000 of capital stock in Indian railways, or any other public work in that country ; and all proprietors of at least £ 1,000 in the public stock of the East India Company. The five members of the second set were to be elected by the Parliamentary constituencies of London, Manchester, and Liverpool in England, of Glasgow in Scotland, and of Belfast in Ireland. These eighteen members were to hold their office for six years, to be re-eligible, but not competent to sit in Parliament, and the salary was to be £ 1,000 per annum to be paid out of the Indian revenues. Their duties were to assist the Secretary of State in the transaction of all business connected with the Government of India that could be transacted in England. They were to devote their whole time to this work and, with the exception of the elected members, they were not to be active members of a profession, or engaged in trade or commerce. It was not compulsory upon the Secretary of State to consult his Council, nor was he bound to follow their advice in all matters. The Bill further provided for the appointment of a Secret Committee, both in deference to former precedents, and because of the conviction of Her Majesty's Government that it was better to adopt that plan than to leave the Secretary of State free to act without conferring with his Council. Provision was also made for sub-Committees of the Council for the transaction of various descriptions

of business. There was no important debate on the motion, which was carried, and permission given to bring in a Bill. That very day Parliament adjourned for the Easter recess.

During the period of adjournment for the Easter recess, the scheme for the future Government of India, as set forth by Mr. Disraeli in his speech, was much criticized in the public press, and in political meetings, and specially that portion of it which referred to the election of five members by the Parliamentary constituencies of London, Manchester, Liverpool, Glasgow, and Belfast. This particular proposal appears to have excited even ridicule in many quarters. So when Parliament re-assembled after the Easter recess, Lord John Russell, Member for the City of London, suggested to Her Majesty's Government the advisability of submitting to the House a series of Resolutions embodying certain general principles on which in their opinion the future Government of India should be based; for having regard to the fact that great objections were generally felt to the principles underlying the scheme as proposed by the Government, he thought that if all these objections were urged on the occasion of the second reading of the Bill, such a proceeding would assuredly lead to a discussion considerably partaking of a party character, —a procedure which in his opinion would be most injurious to the merits of the question, and to the great interests at stake. Lord John Russell quoted as an authority in favour of his suggestion the precedent of 1813, when Lord Castlereagh introduced a series of Resolutions, on the acceptance of which the India Bill of that year was framed. Lord John Russell's suggestion was opposed by several leading members of the Opposition, but was eventually accepted by the Government and by the House. Accordingly Her Majesty's Government framed fourteen Resolutions for submission to the House, and on the 26th April, Mr. Disraeli moved that on the 30th Instant the

House should resolve itself into a Committee of the whole House for the consideration of the Resolutions. On that occasion, Mr. Disraeli made a very long and able speech examining the several proposals for the future Government of India, and also explained at considerable length the composition of the India Council as proposed in the Bill introduced by him. But before we proceed to notice Mr. Disraeli's speech on this occasion, we think it will be proper if we notice first the speech of the Earl of Ellenborough in the House of Lords on the 29th Instant; for it is well-known that that noble Earl was the father of the scheme embodied in the Bill introduced by Mr. Disraeli. As we have said above, Lord Ellenborough was the President of the Board of Control, which office he had filled three or four times before, and above all, the noble Earl had been, though for a short time, the Governor General of India also. On the 29th April, the Duke of Argyll in the House of Lords moved for the Report of the Court of Directors to the general Court of the East India Company upon the two India Bills before Parliament, and in his speech on the occasion the noble Duke criticized the Bill No. 2. Lord Ellenborough, in the course of his speech in reply, referred in the following terms to his own scheme:—

I do not mean to follow the noble Duke into a discussion of the Bills or the Resolutions, nor will I go back to my speeches or my evidence, which I have never read since it was printed; but when the noble Duke says that I have proposed a plan which changes the present Government of India more essentially than the plan of the late Government proposed to do, let me tell him that he is entirely in error. The plan proposed by his colleagues established a Council of eight persons nominated by the Crown. They must of necessity have resided fifteen years in India, or they must have served in India for ten years. Now Her Majesty's army in India at the present time—and it is probable will so continue for some time to come—amount to between 60,000 and 70,000 men; and it is extremely desirable that some of the officers of that army should find their way into the Council, but this I must say, that by the Bill of the late Government, the officers of Her Majesty's army are sedulously excluded from the Council. But more than that, the provisions of the first Bill practically excluded

fresh English minds; and I know that is a most serious evil. No person could have sat in that Council but men grown grey in India and wedded to Indian opinions on all subjects. I felt in India the great inconvenience of not having a fresh English mind to support me in my Council. I had no fault to find with the gentlemen who formed my Council, but they were thoroughly Indian in habit and opinion—all their views were Indian; they knew nothing of English modes of thought. The light which breaks in upon this country does not break in upon India till long long afterwards. And so it would have been in this proposed Council. The only person in the Council who would have English opinions would be the Secretary of State himself, and he would practically be seriously embarrassed, because he would have in his Council no one able to support his views. Practically, under the present system, which is one of election, and always has been, there has been no occasion on which there were not in the Court of Directors some commercial gentlemen, some gentlemen who had not Indian minds, but who brought English opinions to act on opinions formed in India. I think it is of great advantage to preserve that element in the Council, and it is of much more importance to do it, now than it was five years ago. There has been a great increase of late in the commercial intercourse with India. In the course of the last four or five years there have been, or, under existing arrangements there will be, invested in India in railways and permanent works not less than £30,000,000. Persons with capital are beginning to turn their attention to India; and I must say I think it most advisable that we should have in the Council, especially under present circumstances, some persons with whom the President may advise upon subjects connected with commerce between England and India. In the Bill which we proposed, means were taken which appeared most advisable for effecting this object, namely, by the admission of persons to the Indian Council by election. The noble Duke said much, but I shall say little, on the elective principle. But this at least I may recal to his mind—if the noble Duke will do me the favour to refer to my former declarations on this subject, and he seems to have read my speeches a great deal more carefully than I ever did—he will find that this year, last year, and on all occasions on which I have spoken of the future Government of India, I have always insisted on a Council, and I have invariably maintained that it should be appointed, in part at least, on the elective principle. Now I will distinctly explain why I think this is desirable. When I came to consider and settle the provisions of the measure, I naturally asked myself what I should desire to find in the Council, if by accident I should happen to be the first man charged with the government of India under the new system. I thought that I should like to obtain there not only advice from the ablest men of every service in India, which was

secured by that part of the arrangement by which nine members were to be nominated by the Crown, but also from the ablest men who could be discovered, and whom, in fact, the Government could not discover, to advise in matters of Indian commerce; I knew that in point of fact the Government had not the means of finding those persons. The Government could find without difficulty the most distinguished men of the civil service; it might ascertain easily the fittest men in the military service; but it has not the means of discovering who are the fittest commercial men to sit in such a Council. That can be done only by election, and I considered it absolutely necessary that to obtain the class of men I have mentioned we should have recourse to the elective principle. But I desired more than that. I see from day to day questions put about India and opinions expressed about India arising from strong and laudable feelings no doubt, but also—I may be pardoned for saying—from an ignorance of the real state of that country, which fills me with alarm. I did, and I do desire, to give the Minister who may have the charge of India a Council so independent, so respectable, so influential, and with so great a hold upon the country, as by their support to afford him great strength in resisting the pressure which might be made upon the Indian Government in the House of Commons. I know not whence the Council is to derive this strength, except from a system of election. The system of nomination, however perfectly, however discreetly, and however honestly applied, cannot create a body which would obtain to the same extent the confidence and respect of the people. No purely nominated Council can have the same weight with the country as a body, a portion of which is elected by influential constituencies. I may be wrong—the Government may possibly find the best men—I question whether they could find the best commercial men—but without the application of the elective principle they will not be able to find men who will enjoy the public support to the same degree as a body of men added upon the elective principle. Those were my reasons for desiring the introduction of the elective principle. It is no new opinion of mine. It is one which I have often expressed. In all the advice which I have given in respect to this great subject I have perhaps been led away by a jealousy—an almost morbid jealousy—which has at all times animated me, of that system of jobbery and corruption which I knew must be fatal to the Government of India. I knew that I should never do wrong in this respect—I would never commit a job; but I could not trust those who might follow me. If I have gone too far on any point, my only object has been to render it impossible that any person who might follow me should be able to make that a bad government which I wished to make a good government. My only object has been to lay the foundation of a government which should enable us to make India happy, strong,



and powerful, and which should connect her for ever with this country. I thought that by connecting the Council of India with some of the greatest cities and towns in England—with the greatest representative power that I could find—I should have found a principle of stable connection between India and this country, and a principle which would have effectually prevented any one of my successors from jobbery and improper conduct, but which would have enabled any one of them who did what was right to support his opinions against the mistakes which might be made in Parliament. I may have been wrong in 'all this'; but that has been my object—a thoroughly public object—to give India a good government.

We shall now return to Mr. Disraeli's speech of the 26th April. We pass over the preliminary portion of that speech in which Mr. Disraeli explained the circumstances under which Her Majesty's Government had had to act in this question, and we accordingly proceed at once to the discussion of the principal question at issue regarding the composition of the India Council. Mr. Disraeli in criticising the several proposals for the future Government of India spoke as follows regarding the proposal of the Manchester school to which we have already referred above :—

Now, Sir, there are two schools, if I may use the phrase, who have laid down dogmas upon which they say the new Government of India ought to be framed. The first is one which boasts of simplicity of arrangement. They tell you there is no difficulty in constructing a Government for India, and that the simpler your form of government the better. All you have to do, they say, is to establish a great officer of State, with undivided authority and with sole responsibility, sitting in a House of Parliament, and assisted in the administration of his office by some clerks and under-secretaries. The principle on which this school found their system is simple; it is this—that India ought to be governed as every other dependency of the Crown is governed. Now, Sir, I join issue at once, with great respect, with that school. I deny that India ought to be, or can be, governed in the same way as the other dependencies of the Crown. I deny that there is any analogy between India and any other dependency of this country. India, Sir, is an empire of many kingdoms and of many nations, peopled by populations influenced by different religions, different laws, and different customs, and containing a variety of races, equal to that which exists in Europe. It follows, I think, from that, that he who governs India must be a man who should possess vast and varied information on the subject with which he has to deal; and I cannot believe that an Eng-

lish statesman, however gifted he may be, appointed to the office of President of the Council of India, or Secretary of State for India—suddenly and perhaps unexpectedly appointed—from his general reputation, or the possession of Parliamentary ability, can possess the requisite knowledge and information for such a post. Well, then, he must consult somebody; and who must he consult? He must consult the permanent officers of his department, and his under-secretaries and his clerks become his Council. I have, as all have, I am sure, the greatest respect for the permanent civil servants of the Crown. No one can have been brought into communication with that large and valuable body of Her Majesty's servants without entertaining for them feelings, not only of respect, but often of admiration. But, Sir, it is impossible to deny that, if they have a deficiency, the quality in which they are deficient—and necessarily so from the career they have to run—is an absence of that feeling of responsibility which we, from our training in this House, all of us, to a greater or less degree, must possess. They live, too, necessarily in a circle of peculiar opinions—opinions which they have adopted often from force of conviction, but sometimes also from the power of habit. I do not behave, then, Sir, that this system of the simple school, of suddenly effecting an immense revolution, such as that proposed by the late First Minister, and substituting for the complicated system of government which still prevails, a mere Minister of the Crown, assisted by some permanent civil servants, would be one which would work in a manner satisfactory to the country.

But, then, Sir, the friends of that school—and they are active and able—tell you that it does not much signify whether this new Minister is really capable from his knowledge or experience, or whether the civil servants to whom he trusts for the ordinary administration of business are efficient, because—and this is the second principle of their doctrine—India must be governed in India. Now, I beg the House calmly to consider how much is involved in that phrase. "India to be governed in India," means that the Governor General of India is to be placed in the possession of power which the constitution of this country has not hitherto contemplated, and which may produce effects upon the fortunes of this nation, the magnitude of which it is impossible to predict. Why, Sir, a Governor General of India would, under those circumstances, unchecked by an authority having competent knowledge in this country, occupy a position which no despot at any time has approached. Conceive the career which might tempt an individual in possession of such a power—a career, perhaps, of conquest, exercising an immense influence over the finances of India, and re-echoing, perhaps, upon the finances of this country. No one would be able to check him, no one competent to control him. Complaints there

might be of mal-administration, and of the exercise of arbitrary power; but when the complaints came home, they must be referred to him for explanation, and he would give that satisfactory information which superior knowledge can always give upon every subject. What power would not this new authority possess at home in influencing votes? In what relations would the Governor General of India stand to the Ministry in England, and especially if it be a weak Ministry? What opportunities at his command to sustain a weak and failing cause! Inquiry into the conduct of the Administration would be stopped by providing for all claimants upon Ministers, out of a patronage which would be inexhaustible. The more, Sir, I reflect upon this "simple" plan, the more I am convinced of its danger and impracticability.

Well, Sir, there is another plan which has been brought forward in this House in the form of a Bill, and that has been stigmatised as a complicated plan. I cannot say that the plan of the noble Lord deserves this epithet. The plan of the noble Lord is really—though slightly veiled for form's sake—the plan of that school of simplicity to which I have adverted; for in it the Minister would possess a very limited Council of nominees, yet those nominees could not perform the functions of a Council, for the several departments over which they would have to preside would occupy the whole of their attention. In every great department—in the military and judicial departments; in the department of finance—the Minister should be subject to the control of a Committee, whose combined mind should influence affairs; but if you have a Council very limited in number, containing only a few nominees of the Crown, you will find each department of Indian administration subjected to one individual only, as it would be to an under-secretary or a clerk.

It will be thus seen that the "simple" plan of the Manchester school, and that of Lord Palmerston's Government were bracketted together and placed in the same category by Mr. Disraeli. We shall now see what he had to say in vindication of Lord Ellenborough's scheme, the outlines of which have been already set forth in the preceeding pages. In the first place he stated that simplicity should not be attempted at the sacrifice of efficiency and good government, and that if the British constitution itself were subjected to the same test of simplicity, it would be pronounced complicated and absurd. Mr. Disraeli made at the outset one very important statement to which

we invite the pointed attention of the reader. He said :—" Although speaking with becoming diffidence on a subject like the Government of India—on which *I am bound to express my belief, from all that has passed during the last two months, there does not exist in this country that matured opinion which should accompany, and which has always hitherto accompanied in this country, the solution of great questions*—still I can not but agree, from what I have observed to have passed within these walls, that the majority of the House are in favour of a Council to assist the new Minister for India." We invite the special attention of the reader to the italicised parenthetical sentence as containing a distinct admission favouring a searching and full inquiry into the working of the Government of India Act 1858 ; and as we proceed, we shall note similar admissions on the part of other leading statesmen. Having thus stated the point on which a majority of the House were agreed, Mr. Disraeli thus dilated upon the necessity of forming a numerous, a real Council :—

But if they are in favour of a Council, assuredly they must be in favour of a real Council. Now, I am the last man to deny that there are great faults in our present system for the government of India in England. Many of those faults are acknowledged even by the members of the governing body. But that our home administration has also great merits no one will dispute. It does not require any elaborate argument to prove that fact ; it is amply demonstrated by the very existence and the maintenance of our Indian empire. But what are the special excellencies of the East Indian Direction which have never been questioned and are universally recognised ? The knowledge that exists there—the experience that exists there—the aptitude to deal with all the forms and details of Indian administration—these are the qualities which have made the Government of the East Indian Company successful, and which have counteracted the evil effects of delay and of a divided responsibility. It appears to me, therefore, that if you resolve to have this Council, it should be a real Council, and should possess those elements and aptitudes for which the Court of Directors have been eminent. I say, in the first place, that such a Council ought to be numerous. I do not think that any one who has examined with at-

tention all the matters that come under the consideration of the present Court of Directors can believe that they could be efficiently dealt with by the limited number of mere nominated Councillors that the noble Lord opposite (Viscount Palmerston), for instance, proposes. All those heads of business, to some of which I have alluded, into the details of which I will not now enter—for I desire to be as brief as possible—and which could not certainly be arranged under less than eight principal heads, would each require a Committee for proper consideration. A Committee in the case of the government of such distant dependencies gives that quality of criticism and control which never can result from the labours of a single individual. A single individual is a mere administrator. But if you want a Council you must have committees; and if you are to have committees to deal with such large questions as the army, finance, the judicial establishments of India, the relations of the Native princes with our Government, and other subjects which I need not here enumerate, you must have a Council considerable in numbers to supply efficient Members.

Having thus made out a case in favour of having a numerous and a real Council,—and here we must draw the attention of the reader to the fact that, the Court of Directors having then consisted of eighteen members, that number was, it appears, continued in the new arrangement,—Mr. Disraeli turned to the consideration of a point upon which the English people have always evinced the greatest jealousy—the extension of the patronage of the Crown. It may be also observed that the main reason why the East India Company was not abolished before 1858, was this very dread of increasing the patronage of the Crown. Mr. Disraeli accordingly observed that if a numerous Council was necessary to make it a reality, then the question necessarily arose whether the entire nomination should be vested in the Crown. He believed that Parliament would object, and very naturally and reasonably, to vest in the Crown the power of making all the nominations to the Council, and that posterity too would condemn such a proposal even if now sanctioned. He therefore thought that under the circumstances the best and safest course would be to have half the members nominated by the Crown, and the other half elected. On this point, which we must

observe is essentially English in its bearings, and also on the question of how the nominations should be made, Mr. Disraeli spoke as follows :—

But if you make up your minds to have a Council considerable in numbers, I believe that a proposal for entrusting to the Crown the nomination of all those members is one which this House, with the jealous feeling for public liberty by which it has always been influenced, would be very unwilling to adopt. I do not mean to enter, upon this occasion, into any argument as to what should be the exact number of Councillors, but I will assume, for the sake of argument, that it should be the number proposed in the Bill I had the honour to introduce into this House—namely, eighteen. Are you prepared to entrust the nomination of these eighteen Councillors to the Crown? I believe that it would be a dangerous measure—that it would be one of which this country would not approve, and which posterity would strongly condemn. Well, then, you must come to the principle of a limited nomination by the crown? Let us assume that the Crown should nominate nine of these Councillors, or one-half of the whole number. We proposed that when the Crown nominated those nine members the greatest security should be given that they should be efficient men—that is to say, that they should be men who had a large experience of India—men of that amount of knowledge of India that they should be able to supply the Minister for India with information upon all those matters which might be brought before the Council. We proposed arrangements which would have secured a representation in the Council of the civil servants, and of the armies of the three Presidencies, and of the members of the great Indian Governments. It has been alleged that this restriction was unwise. It has been said, that by insisting on these conditions you might shut out very able men who might otherwise be placed in the Council. Undoubtedly you might in some circumstances; undoubtedly if you make a general arrangement there may be exceptional cases in which you would have great reason to regret its operation. But you must not legislate for exceptions; you must look to the great object of your legislation—which, in the instance I am supposing, is the formation of a real Council, possessing adequate knowledge and experience; and you must endeavour to secure the services in that Council of men who, possessing special knowledge with regard to the state of the Punjab, or of the southern provinces, or any other Indian question, may be able to give the Minister the best advice. I think, then, that our arrangement was a wise and prudent arrangement; and when I am told that some clever man might by that means not find a place in the Indian Council, I hope the House will allow me to inform them what

would be, on the average, the number of individuals from whom the selection in this case could be made either from the armies of India or from the civil servants, or from the members of the great governorships. The number of those men—men who had filled the highest offices in India, would not probably, on an average, be less than eighty; and I cannot but think it would be preposterous to suppose that among that number the Minister for India could not find a person fully qualified to fill any vacancy in the Council that might occur.

But I see it stated in the manifesto of the East India Company—and here, I may observe that the attack made on the privileges, and even on the very existence of the Company, have given rise to an extraordinary exhibition of intellectual power on the part of their officers—I see it stated in their manifesto that this proposition was specially objectionable, inasmuch as it would give a representation of class interests. Now I must say that I was never more surprised than when I found this objection to the scheme urged on the part of the East India Company. I have certainly often heard it stated in this House and elsewhere, that nothing is more baneful to a State than class legislation. That is a proposition I can understand. But what is class legislation? I mean by that expression legislation in favour of a class because in the assembly where the legislation takes place that class preponderates; and I admit that such legislation is of a most vicious character. But the representation of class interests is not the same thing as class legislation; it is not even likely to lead to it, but naturally leads to an exactly different result. I have always heard that no basis of popular representation is more sound than the representation of classes, which is, in short, the constitution of this House. Is this an assembly in which we could maintain the justice or the expediency of a different basis? Have we not here Members for towns and Members for counties? Have we not Members for England, and Members for Ireland, and Members for Scotland? Are not all these classes and interests? I want to know what has made our Parliament so successful and so famous but the fact that it is a real representative assembly, and represents all class interests?

Mr. Disraeli then proceeded to answer the objections taken to the introduction of the elective principle in the constitution of the India Council. He said:—

As far, therefore, as regards the construction of this Council on the principle of nominations, I maintain that if that principle is adopted by the Crown it must be limited, and that if you are to have a numerous and a real Council, it should not extend to more than about a moiety of the members of that body. But how are you to obtain the

remaining members ? Well, I must say that I do not see how you can obtain men of the necessary character, independence, and high qualities, and capable of bringing to the Government of India all the requisite knowledge and experience, unless you have recourse to the elective principle. But great objection is taken to that principle. The elective principle, we are told, is "unconstitutional." It is said that it is unconstitutional to have a royal and salaried councillor elected by the popular voice. Now, I admit the immense difficulty of encountering any argument that is based on the "constitutional" objection. I never yet have found any definition of what that epithet means ; and I believe that with the single exception of the word "un-English" it baffles discussion more than any other in our language. I fully admit that it is anomalous to elect by the popular voice a royal and a salaried officer. But let us consider as practical men what it is we are dealing with upon this occasion. Are we not dealing with the greatest anomaly that has existed in modern times—the East India Company ? What is the character of that Company ? What has been the character of its whole career ? Have you not suspended throughout its entire continuance the executive power of the Crown in order to delegate it to an elected Committee ? For who are the members of the Court of Directors ? Are they not, in the very language of your laws, the trustees of the Crown, but trustees chosen by the popular mode of election ?—and do they not receive salaries when they are elected ? And what is there more unconstitutional in a royal and salaried Councillor than in a royal and salaried trustee ? I think, then, that the objection against the election of these Councillors cannot be maintained.

It will be remembered that according to the scheme, the outlines of which Mr. Disraeli clearly explained when he moved for leave to introduce the India Bill No. 2, the elected portion of the Council was proposed to be divided into two parts, namely, that of the total number of nine members to be elected four were proposed to be elected by the same constituency which elected the Court of Directors, but greatly enlarged by the extension of the franchise to others than the holders of India Stock, and that the remaining five members were proposed to be elected by the Parliamentary constituencies of London, Manchester, Liverpool, Glasgow and Belfast. As regards the first portion Mr. Disraeli said :—

But if they are to be elected, the next question is, by whom should they be elected ? In the Resolutions we have



placed on the table of the House we have indicated one source from which they should, in our opinion, be elected; and allow me to say a few words upon that point. All persons will admit, whatever may be the faults of the East Indian direction, that limited, and even ridiculous, as the noble Lord the Member for Tiverton described the constituency to be that returned the Directors, very able and experienced men have been elected into that council. No one can urge it as an argument for the destruction of the East India Company, that the Directors have been inefficient men; on the contrary, it is notorious that these men, elected, according to the noble Lord, by this "limited and ridiculous constituency," have been on the average men far above the usual level of public intelligence. Well, we propose a constituency to elect a certain number of these councillors of an analogous character to that constituency which at present exists, and which has for so long a period produced such efficient representatives, but I think I may say infinitely improved in two important respects. First of all, it is much more numerous; and, secondly, it is far more varied. I hold in my hand a return, drawn up with great care, from which it appears that the constituency to which we would entrust the power of returning part of the elective members of the Indian Council would number between 7,000 and 8,000 persons, possessing a capital of £58,000,000 invested in India. It is hardly necessary for me to say that the members of this constituency must on the average be persons of considerable intelligence. But I am aware that what is supposed to be a fatal objection has been urged to the formation of such a constituency; and that is, that it would be impossible to canvass them. But what was the great argument advanced against the continuance of the rule of the East India Company when we renewed their charter in 1853? Every one admitted, upon that occasion, that the government of India worked well, and that very able men on the whole had been elected by the "limited and ridiculous" to the Board of Directors: but it was said that an election could only be secured by a canvass so degrading that the most eminent men would not submit to the worry and humiliation. The cry in this House then was—"Above all, we must put an end to canvassing." But the fault which is now ascribed to our proposed new Indian constituency is, that it would be impossible to canvass them. I believe it would be impossible to canvass them, and I think that is one of the great recommendations of the measure. I think it would be a very great improvement on the present system that a man who aspires to the office of an Indian Councillor should know that he had nothing on which he could rely but his capacity and his character, and that by these alone could he obtain a seat in the Council.

And as regards the other portion, and the object

for which it was proposed, he said :—

In considering the construction of this body we had to remember the great question whether we could bring English opinion to bear on that special Indian knowledge with which we should, by the scheme we had proposed, amply furnish the Council. Unless this could be effected, an obvious evil and inconvenience might arise. Men formed exclusively in India, men brought up in the military or in the civil service of that country, might be gifted with great intelligence and possess great knowledge, but, born as they had been in the abuses of the system, they were not sensible of the existence of those abuses; and with such men exercising supreme authority you could not feel sure that you would be able to obtain for the inhabitants of India that redress from the grievances under which they suffered, that English protection ought to secure. But if, on the other hand, you selected for your Indian Government Englishmen animated by exclusively English feelings, you exposed yourselves to the danger of finding reckless innovations introduced in ignorance of the manners, habits, and laws of the various nations of India; and then you must be prepared to meet disturbance and disaffection in that country. You should in such a case try to combine the conservative and reforming elements, so to establish a due balance of power, and obtain the advantages both of special Indian knowledge and of English progressive opinion. Now, how was that to be done? Who were the persons to be elected? You were hardly prepared to elect Members of Council from the agricultural interest. That interest is in no way instantly and immediately concerned in the welfare of India. If India were lost to us to-morrow, that loss would be no more to the agricultural interest than it would be to the great body of the people from the impoverishment of the national resources which would follow. But there were persons in this country who had an instant and immediate interest in the well-being of India, and to whom the good government of India was an object of the first necessity, because they sent their manufactures to the people of that country, and received from them ample supplies of raw materials. They had a positive and an instant interest in the good Government of India, because they cannot have the people of India good customers unless they are well governed. If any proof were wanted of the truth and soundness of what I am now stating, I need only ask the House to look at what has been the course of what is called Indian reform in this country. From what quarter does the cry for Indian Reform come? Have the people of England ever cared one jot about Indian Reform? No, they have not; and for this very simple reason, which I took the liberty, on a former occasion, to state to the House, that the people of England do not pay for India; because, so long as Indian finance is separated from English finance,

and so long as the people of England do not pay in consequence of misgovernment of India, so long, depend upon it, they will not care for Indian reform. But the cry for Indian reform came from a particular quarter—it came from Lancashire, and for a very good reason. The people of Lancashire, know very well that if India were exhausted by unjust and impolitic wars, and if the resources of that country were not developed, their own trade must suffer; and therefore it was that they raised a cry for Indian Reform—which meant that they wished to have a government that would secure to them valuable customers, who would give them plenty of raw materials in exchange for their manufactured articles. And thus it is that Indian reform, although it involves some of the highest considerations that can occupy the minds of statesmen, and even touch the hearts of nations, has never, with all its interesting topics, occupied for a moment the attention of the people of this country beyond that comparatively limited circle employed in the great seats of our commerce and manufactures. We thought, therefore, that it was desirable that we should bring the representatives of these interests into this Indian Council. I will not now touch upon the constitutional objection to this proposal, because it is disposed of by the fact that it cannot be more unconstitutional to be elected by an English constituency than by any other constituency. We proposed that the great seats of trade should, to a certain extent, be represented in the new Council. We found, however, that we could not confine ourselves to the pedantry of selecting only those places which were most remarkable for their commercial relations with India. Dealing with the question as I believe it becomes statesmen to deal with all great settlements of the kind, we were led to consider the claims of the three nations of which this united empire is composed. We proposed that the City of London should be represented in this Council. We were not unmindful of the anomalous position which the City of London occupies with reference to the other metropolitan districts; but we felt that in legislating upon such a subject, it would be necessary to deal in a practical spirit with the materials which we had before us. The City of London is the great emporium of this country—its port is the great seat of the trade, and its relations with the commerce of India close and extensive, and we thought that if we had attempted to embrace in this scheme the whole of the metropolitan population, the whole scheme would have fallen to the ground. Then we took Glasgow, the greatest commercial city in Scotland, and a city which carries on an extensive commerce with our great eastern empire. Then, again, we felt that it would be impossible to introduce a proposition of this kind without acknowledging the claims of Ireland. I should like to know who would be prepared to bring forward such a scheme and entirely pass over Ireland? I can easily fancy the indignant invective with which such a proposal would be received. But as we passed over the

capital of Scotland, so we thought that the capital of Ireland could not be offended by being subjected to the same fate, and we selected in its stead the prosperous and thriving town of Belfast. That town may not at this moment have any very considerable commercial relations with India, but we must remember that in all great commercial and manufacturing towns there is a sympathy binding them together; so that if Belfast suffers, Manchester must suffer; if Manchester suffers, Glasgow must suffer; and if Glasgow suffers, Liverpool must suffer. We proposed that the three kingdoms should be represented in this Council through these cities; and we also proposed that that special interest which is more intimately connected with India than any other in this country should be represented through Manchester and Liverpool. But how were the Councillors to be chosen? I have now come to what I believe is the great objection which has been urged—or which has been felt rather than urged—in this House to the scheme, and which I hope I can show has been advanced without the due consideration of the subject which its importance demanded. It has been suggested to me over and over again, since I made that proposition, that in the Chambers of Commerce and in the municipalities of those towns we might find sufficient constituencies for our purpose. I believe I need hardly inform the House that this is an expedient which frequently occurred to our minds. But we did not think it could be maintained for a moment that a chamber of commerce, which is a vacue club, could, with its fleeting character and its evanescent materials, be regarded as a constituency; and as regards municipalities, it was obvious that they would only be the means by which the patronage of the Council would be divided between a small number of families in great towns. Under these circumstances we availed ourselves of that machinery which was at hand, and which has been stigmatised in this House with the same alacrity as in other places—namely, of the Parliamentary constituencies. Now, I have not heard much argument against that scheme; but I have heard something else which has superseded argument—I have heard the language of contumely, and the devices of invective poured on that proposal and on the bodies to which we wished to delegate that trust.

Mr. Disraeli having thus explained at great length the reasons of the several proposals regarding the constitution of the India Council as embodied in the India Bill No. 2, and also the object which was sought to be achieved, contended that the Parliamentary constituencies of the forementioned five towns could be safely relied upon returning the best possible men, because they returned the best possible men as

their representatives in Parliament. And having thus far defended the proposed constitution of the India Council, Mr. Disraeli concluded his speech with the following observations :—

But let me revert to the important subject which is before us more strictly. If we are to have a Council for India—a real Council—how can you form it unless you have, partially at least, recourse to the elective principle? You may extend the application of that principle in various ways; but the recognition of it as a principle of instruction to the Committee I defy you to renounce without renouncing the means by which you can make the Council numerous, learned, full of experience, and of that high character and distinction, capable of guiding a Minister however undivided his authority, however sole his responsibility, with advantage to the state and with safety to the empire. Now that is the proposition which you have before you. All other subjects are matters of secondary importance, however great they may be; the distribution of a capital, the forms of procedure, the question whether you will send out a Commission to investigate the finances of India—and our plan for that investigation was matured and complete—all these are questions of detail; but upon the question whether you will have a real Council of India in this country or not, everything hinges. The Resolutions I have laid upon the table, if they be adopted—modified, perhaps, in some degree, expanded, perhaps, in some direction—but if the spirit of the Resolutions be adopted, I do not despair on the part of the Government of constructing a Bill which will secure a good government for India, so far as it can be carried on in England. But if the Resolutions be not adopted in the spirit in which they are introduced—if prejudice, imperfect knowledge, or political combination, arrest their course, let me entreat the House by some effort to take this great Indian question out of the dangerous sphere of political passion and party conflict. Unless you can produce a Council equal in knowledge, and experience to the Court of Directors which now exists, and free from its failings, it is much better that you should not renounce, that you should not relinquish that Court—a Court which has done good hitherto, and govern by a machinery which deals with interests as vast and various as any which can be considered by this House. Unless you accept the spirit of the propositions you have had brought before you, which, if carried into effect, will create a body in this country that can control with effect the Government of India in India—if you take the contrary course, if you adopt the principle of that school of barren simplicity to which I have already referred, if you accept a proposition like that of the late Government, which only veils the hideous dangers which such a scheme of policy must entail—you may depend upon it the fate of the Indian empire is sealed; and

you will deserve to lose that empire because you arrogantly declare that you will attempt to govern it without knowledge and without experience.

Lord Palmerston admitted the necessity of giving the assistance of a Council to the Indian Minister, but objected to an inconveniently large number such as the Bill No. 2 proposed. He said that the main reason why a Council was wanted at all, was to furnish the Indian Minister with local knowledge and experience, and to advise him, but not to control him. He objected to a Council of the proposed nature on the ground also that it would perpetuate the then existing system of double Government and of divided responsibility, the result of which would be to shield the Indian Minister from Parliamentary responsibility. Lord John Russell took precisely the same view. Mr. Gladstone deprecated legislation on India at that moment mainly on two grounds; firstly because though at the time, when permission was granted for the introduction of the India Bill No. 1 (Lord Palmerston's), hopes had been held out that before long the rebellion in India would terminate, those hopes had not been realized, and secondly because, as evidenced by the misgivings of the authors of the several Bills as to their results, there did not then exist in England that maturity of opinion which was essentially necessary for the satisfactory settlement of questions of the first order in point of difficulty and importance. He said that the greatest difficulty in his opinion which they had to encounter was their attempting to govern, by means of one people, another vast population separated from them not by distance only but also by blood, by language, by religion, by institutions; in fact by all that could serve to draw a line of demarcation between man and man. And then he proceeded to add:—"I admit we may point with pride to the pages of our Parliamentary history, as furnishing evidence of the success with which we have administered the affairs of distant countries; I confess, however, I have

not an equal faith in the efficacy of our Parliamentary institutions in defending the interests and institutions of the people of India. The question which we are bound to ask ourselves before all others—with all others—and above all others—is, what is the best system of protection we can provide by law, not only for the maintenance of all those interests to which I have referred, but what is best calculated to evince our respect, our care and tenderness towards the feelings and prejudices of those over whom we happen to be placed.” Mr. Gladstone then indicated the two points which he deemed very important in any legislation for India, and to which he directed the attention of Parliament. He said :—“ The first great want we have is, to provide adequate protection for a people against the ignorance, the indiscretion, and the errors either of the people themselves, or of the Parliament, or of the Government of this country. But besides that consideration, there is a second, which I am afraid has hardly yet been named since we began to debate this question. \* \* \* \* I allude to the undue, and I will even add, the unconstitutional exercise of power by the Executive Government through the medium of the treasury and the army of India. I can not look back to the history of our wars in connection with India, during the last twenty years especially, without seeing that the power lodged in the hands of the Queen’s advisers and the Executive has been alike at variance with the interests of the country, and the rights and privileges of the House of Commons.” Though he held such strong views, Mr. Gladstone did not then propose any amendment to the motion before the House, probably because he saw no chance of carrying it, but simply contented himself with respectfully protesting against an affirmation to the motion.

An amendment, having for its object the postponement of legislation, was nevertheless moved, but was eventually withdrawn, and thus the original mo-

tion was agreed upon. As already stated above, there were fourteen Resolutions placed on the table of the House of which, however, only six were proposed and carried with a few modifications, with the exception of one which was withdrawn by Government. The first Resolution referred to the transference of the Government of India from the Company to the Crown; the second to the appointment of a responsible Minister of the Crown for carrying on that Government; the third to the necessity of surrounding such Minister by a Council of not more than fifteen, and not less than twelve, members; the fourth to the necessity that the principal portion of the Council should have served or resided in India for a term of years to be limited by statute, and the fifth to the necessity that in order to be efficient and independent, the Council should be partly nominated, and partly elected. We pass over the first two Resolutions,—and they were really superfluous, having regard to the vote of the 18th February, and even of the 26th March. When the first Resolution was moved, a noble Lord suggested an amendment that it was inexpedient to legislate on India that Session, which amendment was negatived by an overwhelming majority of 390 in a full House, only 57 having voted in favour of the amendment. So we come to the third Resolution which caused a prolonged discussion. It came on for discussion before the House on the 7th June. Before we proceed, however, to note the salient points of that discussion, we must draw the attention of the reader to one very remarkable circumstance which occurred during the interval that passed between the passing of the second Resolution, and the discussion on the third Resolution. That remarkable circumstance is the resignation on the 1st May by the Earl of Ellenborough of his office as the President of the Board of Control in connection with the premature publication of a despatch from him severely condemning Lord Canning's Oude Proclamation. It is not our purpose here to go into the



causes of Lord Ellenborough's resignation ; suffice it to say that it was a noble instance of self-sacrifice in vindication of a still more noble principle which ran the risk of being ignored and sacrificed for party purposes. Towards the conclusion of his speech, when announcing his resignation in the House of Lords, the noble Earl said:—"My Lords, I know well—however great the importance of the public question—no matter how great the principles involved—personal considerations will but too much sway the decisions of both Houses of Parliament. I have determined, so far as I can, to remove these personal considerations. I am resolved, so far as I can effect it, that this question shall be considered on its own merits ; and determined as I am, that to the last moment of my life everything I do shall be to promote the peace and welfare of India, I have today tendered to Her Majesty my resignation, and it has been accepted." Lord Ellenborough was succeeded by Lord Stanley (the present Lord Derby) as President of the Board of Control. We have prominently referred to this event, partly because of its intrinsic importance, and partly because of its effect on the India Bill as subsequently passed, so far of course as the constitution of the Council is concerned. It is our belief that had he continued in office, he would have most probably succeeded in introducing the principle of popular election in the constitution of the Council. We shall now return to the third resolution.

We have said above that the constitution of the India Council, as proposed in the Bill No. 2, was an imitation and copy of the constitution of the Court of Directors as then existing, with one or two alterations. The number of the members of the new Council was proposed to be eighteen, the same as in the case of the Court of Directors. The only two points of difference were that, while in the Court of Directors the elective proportion was two thirds, it was proposed to be reduced to one half in the case of the new Council, and

again that the proposed introduction of the five members to be elected by the Parliamentary constituencies of the five towns was a new departure, the enlargement of the electoral constituency of the other elective portion having been based upon the proposal made by Mr. Hume in 1853, but then negatived. It would seem that some such notion as the one we have mentioned above, must have led to the amendment which was proposed by Mr. Gladstone upon the third Resolution when it came on for discussion. Mr. Gladstone proposed as an amendment that the Court of Directors as then existing should form the first Council of the new Indian Minister until the end of the next Parliamentary Session, that is, to the end of July 1859, a course which would have necessitated a resort to fresh legislation in the Session of 1859. In the speech which he made in support of his amendment, Mr. Gladstone urged pretty nearly the same reasons which he had urged on a former occasion when Mr. Disraeli moved for a committee of the whole House for considering these Resolutions. He said that Parliament had not then had before it all the information requisite to enable it to deal with all those questions which were connected with the Government of India; such, for instance, as the state of the Natives of India, the efforts to be made to keep open for them a career, and the measures to be adopted to bring them forward in the social scale, which, if it were a true advance, could not be limited to the social scale, but must leave open a political career; the English and Native army in India; the constitution of the several local Governments, and also of the central Government at Calcutta with their relative relations, if any; the Indian finance and the Indian debt; and the position of the prerogative of the Crown as relating to the use to which the Indian finance and the Indian army might be diverted for other than local purposes. Mr. Gladstone thought that all those questions ought to be dealt with in one comprehensive measure, but that the information

which would enable the House to deal satisfactorily with them at that time was wanting. Lord Stanley repied that even if an attempt were made to deal with all those questions at once, the result would be that no measure could be passed, as there would be an endless discussion. The noble Lord thought that the best way was to deal with each question separately. As to the reconstitution of the Court of Directors to be the first Council of India, the noble Lord thought that after the votes solemnly recorded by Parliament on the subject, the course suggested was not possible without discrediting the members of the Court of Directors in the estimation both of England and India. Sir George Cornwall Lewis also objected to Mr. Gladstone's proposal, and denied that full information was wanting so far as the Home Government of India was concerned; and then he proceeded to add:—"Having stated the objections, the fatal objections, to which, as it seems to me, these two Resolutions (of Mr. Gladstone) are liable, I can not but say that I think my right hon. Friend has greatly exaggerated the difficulties in the way of the plan already before the Committee. These Resolutions merely involve a plan for the improvement of the Home Government of India. They do not necessitate the consideration of the difficult questions that were passed in review by the right Hon. Gentleman—that of giving political power to the Natives, that of the Military system of India, and that of the local governments of India—none of those subjects need be treated in connection with these Resolutions now before us. But so far from agreeing with the right hon. Gentleman that because these difficulties exist, we are not competent to deal with the Home Government of India, it appears to me, on the contrary, that the settlement of the simpler question as to the Home Government of India would very much facilitate the settlement of those other difficult questions. When we have the Home Government

settled in a direct and manageable shape with responsibility upon one head, this House will have facilities and advantages for dealing with the question of local Indian policy which it does not now possess." These words are as true now as they were in 1858; for no one outside the small coterie of the India Council, and outside the services from which the said Council is recruited, denies that the India Council is by far the greatest obstacle in the way of Indian reforms. And what is the cause of such being the case? These officials, whatever their qualifications,—and they are doubtless many—are, to use Mr. Disraeli's words "deficient in that feeling of responsibility which we, from our training in this House, all of us, to a greater or less degree, must possess;" because they "live necessarily in a circle of peculiar opinions—opinions which they have adopted often from force of conviction, but sometimes also from the power of habit." Mr. Gladstone's amendment was, after considerable discussion, negatived by a large majority. Then Mr. Roebuck brought forward his amendment to the effect that there should be no Council. The reader is already aware of the general tenor of Mr. Roebuck's arguments, and also of the reply to them given by the Ministers who supported the Council. So we need not pause here to notice them further. Suffice it to say, that the amendment in question was negatived without a division. Then the only question that remained was as to the number of the members of which the said Council was to consist. The original Resolution proposed that the Council should consist of not more than eighteen, and not less than twelve members. On this question Lord Palmerston said that the subject before the committee involved a very important principle, namely, whether when the Government of India was transferred from the Company to the Crown, the administration of India was to be carried on in London, or mainly in India; for if it was proposed that the administration should be carried on

mainly in London as under the Company, then a large Council would be necessary, whereas, on the other hand, if it was intended that the interference of the Home Government should be confined within the narrowest possible limits,—if Parliament thought that that interference should be confined to general matters only, then a large Council would not only be useless, but even cumbrous. Lord John Russell then proposed an amendment that the Council should consist of not more than twelve members, thus laying down the maximum only. In his speech the noble Lord touched upon all questions in connection with the Council, whether the members should be elected or nominated, whether they should be permitted to sit in Parliament, whether they should hold their office for life or only for a limited term, and such other questions as had no bearing upon the Resolution then before the Committee. He, however, agreed with Lord Palmerston that the interference of the Home Government should be confined to general matters only, and not to details. Sir Charles Wood deemed it to be of essential importance that there should be a review of the proceedings which took place in India; for, while he quite concurred in the view that the Executive of that country should exercise its functions mainly in India,—he thought it was extremely expedient that such a check should be put upon its action as the review to which he referred would afford. He said that in India itself no such check could prevail, for on the one hand there was no native public opinion, while that of the English inhabitants of India was not, as had been proved by recent events, always directed to the best ends. He believed accordingly that they must seek that check in England, and that to exercise such a check a Council of twelve members would be quite ample. He further added that when in 1853 the number of members of the Court of Directors was reduced from 24 to 18, the same objections were urged; but that

they had not been sustained by experience; on the contrary he was told by one of the oldest members of the Court that the reduction had led to increased efficiency. His own opinion was that even a smaller number than twelve would do quite well. Mr. Bright said that he was inclined to agree with his friend Mr. Roebuck that there should be no Council at all; but that, as the House was not disposed to agree to that proposal, he was in favour of Lord Palmerston's proposal to have a Council of eight members. He confessed he had a wholesome dislike to anything like an approximation to the old state of things. He took it for granted that in future there would be more business done in India, and less at home; and that if such was not to be the case, and if the interference of the Home Government of India was not to be confined to deciding upon great measures, and to giving a veto or an assent, as the case might be, he could see no prospect of getting out of the difficulties with reference to India. Lord Palmerston agreed for once with Mr. Bright that the Committee should not, in determining the constitution of the Council, be led into an unconscious and involuntary adherence to the then existing system, but that they should go as far from it as possible. He added that if it had not been that circumstances seemed to require that the Indian Minister should be surrounded by persons of local experience, his own sympathies led him to believe that by far the best arrangement would be to have simply a Minister with secretaries in the usual manner. Mr. Disraeli in reply to the discussion observed:—"We are now asked, 'what have this Council to do?' \* \* \* \* Sir, what they will have to do is generally to perform those duties which are now performed by the Court of Directors. They will be a Council who will have to review our Indian administration, and who will virtually, if not theoretically, have to initiate measures, and to present the result of their researches and judgment before the Minister of State, who, it is

reasonable to presume, will be guided in most instances by their labours and counsels. And although the Minister of State will sign the despatches and documents instead of the Court of Directors, the Council will be found an active, if not a formally responsible, body in the administration of the affairs of India. It will be found a real Council, as I hope it will be found a prudent and prudential Council." The Resolution was eventually passed with an amendment to the effect that the Council should consist of not more than fifteen and not less than twelve members.

We pass over the fourth Resolution altogether as there is nothing important in the discussion that took place upon it. The fifth Resolution was the most important, as laying down the principle that the Council should be partly nominated, and partly elected. Lord Stanley in submitting the Resolution to the Committee passed in review at considerable length the several methods suggested for securing efficiency and independence in the Indian Council; such as the appointment of members by nomination for life, or, what amounted to the same thing, during good behaviour; the appointment for a long fixed term without the power of renomination; and the appointment for short terms with the power of renomination. The first method would no doubt secure independence, but was open to the objection that, under that system, there was a temptation for members to continue in their places after they had ceased to be efficient owing to physical infirmity or otherwise; as regards the second method, Lord Stanley said that it appeared to him inexpedient in practice on account of the different manner in which a rule of that kind would operate on persons of different ages; for instance, a man, if appointed at forty a member for a fixed long term, would be excluded from the further performance of his duties at an age when for all deliberative purposes his intellect would be in its maturity, while in the case of a man, who at the time of his

appointment was very advanced in years, or was weak in health, he would be incapacitated for duty before the close of his term. As regards the third method, Lord Stanley said that practically the office of Councillor would be a position of far greater dependence upon the Minister than that of a clerk in any of the public offices. All the three methods being thus open to objections, the noble Lord thought that the only way to secure efficiency and independence in the proposed Council was to form it partially on the elective principle, and he proposed as a constituency the proprietors of the East India Stock, the holders of shares in Indian Railways, and the retired civil and military officers. The noble Lord, however, added that he wished to state distinctly that, in proposing to the Committee what was called the elective principle, he did not at all confound it with the principle of representation. They must, he thought, fairly admit that anything in the nature of a representation of Indian interests in England was utterly impracticable. He then said that if the representative principle, as such, were ever to be introduced into the Government of India, it must be introduced in India itself, not in England. Sir James Graham, who was from the first opposed to legislation regarding India being resorted to that Session, said, that in-as-much as that point had already been decided, he desired to minimize the change as much as possible, and to form the proposed Council on the model of the Court of Directors, as far as this was possible. With that view, while objecting to the constituency proposed by Lord Stanley on behalf of Her Majesty's Government, Sir James Graham proposed that the entire Council in the first instance should be nominated from among the members of the Court of Directors—a procedure which would satisfy the terms of the Resolution before the Committee, as the Court of Directors was partly nominated, and partly elected; and that, as regards the vacancies in future, the Council so formed



with its President should submit three names, from which the Crown should select one to fill up the vacancy caused, and that these names should be submitted to both Houses of Parliament. In the concluding portion of his speech, Sir James Graham made the following observations :—"It can not be denied—however anomalous it may appear—that the actual Government of India has hitherto been mainly conducted in all its great features and most important outlines—subject, of course, to the occasional control of the Minister of the day—by gentlemen who were never in India. I believe that virtually Sir James Melvill, Mr. Philip Melvill, the late and the present Mr. Mill, Mr. Kaye, and Mr. Dickinson, are the men who in the main have worked the labouring oar in this great concern, and have been most successful in conducting the Government of India. I am by no means certain that it would not be better to have a single responsible Minister, receiving the assistance of able secretaries and clerks, than to establish a Council which shall exercise no moral control. I do not want to see a sham and inefficient council, the members of which shall be dependent on the power of the government of the day, and who, like young ravens, will be opening their mouths to be fed by the Minister of the day when the time for their reappointment comes round." Lord John Russell and Viscount Palmerston opposed the Resolution on the ground that it was unconstitutional to vest appointments to any executive offices in any authority other than the responsible Minister of the Crown, and also on the ground that the constituency proposed had nothing to offer by way of recommendation in the shape of its possessing any special interest in the good Government of India. Sir George Lewis took the same view, and added that the Resolution did not propose any representation, but that it was simply a device for solving a difficulty in connection with the patronage of the Crown. He said that taxation and representation ought to go together ;

but in the present case, while the tax payers were the people of India, the proposed constituency would be composed of tax-payers, thus depriving the scheme of all popular element, as was in fact admitted by the Government itself. Mr. Gladstone, however, supported Sir James Graham's proposal. The Resolution was eventually carried by a large majority without any definite understanding whatever as to who were to elect these members of Council, and what was to be the proportion of the elective members. These five Resolutions having been passed, Her Majesty's Government introduced a new Bill in conformity with the said Resolutions.

On the 24th June 1858, Lord Stanley moved the second reading of the India Bill No. 3. In his speech in support of the motion, the noble Lord explained at great length the principal provisions of the Bill, which as a matter of course provided for the transfer of the Government of India from the Company to the Crown, and for the appointment of a responsible Minister of the Crown to be called the Secretary of State for India. This Minister, the Bill proposed, should be assisted by a Council of fifteen members, eight of whom were to be nominated by the Crown, and the remaining seven to be elected by the Court of Directors, the election by the Court of Directors to precede the nomination by the Crown. This device was based on the precedent first set in 1853. As regards future vacancies in the Council, the Bill provided that alternate vacancies should be filled by the Crown, and by the Council itself respectively. The Bill further proposed that the members were to hold their office for life, that is, during good behaviour. It further proposed that the majority of the Council should consist of members, who had served or resided at least ten years in India, and that those who had not such local experience should in no case exceed half the number. The salary of a member of Council was proposed to be fixed at £ 1,200 per annum. The

Council was to have no legal but solely a moral influence and control except in certain revenue matters when a new charge was to be created on the revenues. The Bill proposed that in case the Secretary of State rejected the advice of the Council, the latter were empowered to publicly and formally protest, and even to compel the Minister to record his reasons in writing. Speaking on this subject Lord Stanley added :—" But I am convinced that there is much more danger of a Minister leaning too much on his Council than of his neglecting their advice. All the habits, tendencies, and ideas of English public life are such as utterly to restrain public men from desiring to assume to themselves authority and responsibility beyond that which is imposed on them by law. A far more probable danger is that of their desiring to shift responsibility, and to throw it on others. And this is the more likely to happen, where by the nature of the case the advisers of the Minister are possessed of departmental knowledge in which he will almost certainly be deficient." As to those matters which used to be transacted through the Secret Committee by the President of the Board of Control under the old management, the Bill proposed to vest their disposal in the Secretary of State alone on his own responsibility. The Bill also further provided that, like the Civil Service, the scientific branches of the army should be thrown open to unlimited public competition. It further proposed to vest in the Governor-General of India the appointment of the Members of Council in India. Such were the principal provisions of the Bill the second reading of which was moved by Lord Stanley. Mr. Bright followed him in a very remarkable speech which is generally well-known, and from which on that account we do not propose to give any extracts. In that speech Mr. Bright set forth his plan for the abolition of the office of Governor-General of India, and for the formation of the five presidential Governments having their capitals at Bombay, Madras, Cal-

cutta, Allahabad, and Lahore, and being in direct communication with, and under the direct control and supervision of, the Secretary of State in London. Mr. Bright of course advocated the plan of the "simple" school for the constitution of the Home Government of India. The plan, which Mr. Bright elaborated with so much labour, skill and care in that remarkable speech, has not, we are sorry to observe, as yet received that attention which its intrinsic importance and worth demand. The debate that followed was merely of a formal character, containing nothing of much importance, and the motion for the second reading was carried without even a division. The Bill was then discussed in a Committee of the whole House, and here also we shall confine ourselves to those provisions of the Bill which related to the constitution of the Home Government of India. Section 5 of the Bill enacted that the powers of the Secretary of State for India were to be absolute and undivided, subject only to the exceptions mentioned in the following sections. An amendment was moved to the effect that the said powers should be vested in the Secretary of State in Council. Lord Stanley objected to the amendment on the ground that it would impair the responsibility of the Minister, and introduce a joint or divided responsibility, thus bringing back the old system of double government which they had all condemned. The amendment was, after some desultory discussion, negatived by a very large majority, and the original section was thus carried. Section 7 related to the number of members of the Council, and Lord Palmerston objected to the number on the ground that it would be inconveniently large and cumbersome. The noble Viscount added that they all knew that there was an infinite number of details and records of transactions and orders which under the new arrangements need not be transmitted to London. The system, which till then prevailed, somewhat resembled that which was complained of in Lombardy with regard to

the Austrian management, and under which even horse-shoes were sent from Vienna. Similarly everything wanted in India was supplied from England. Records of the most minute transactions, accompanied by an infinite number of pages in writing were sent to London, and having been settled ten months before in India, there was nothing to be done but to put the papers up, and think no more about them. Under such circumstances, the noble Viscount thought that all this circumlocution should be at once dispensed with, and that accordingly fifteen Councillors would not be required for the transaction of business. He accordingly proposed that twelve should be the maximum number, Government having the power to reduce it still further if found necessary. Mr. Danby Seymour supported the amendment, and added that Sir James Melvill in his evidence before the Committee of 1853 had stated that ninety-five portions out of a hundred of all the real business of the Company was transacted by the clerks, and the remaining five percent cases were all that were transacted or initiated by the Committees of the Court. Lord Palmerston's amendment was negatived after some discussion. Another amendment to the same section was moved by Lord Palmerston to the effect that all the fifteen members should be nominated on the responsibility of the Crown. He said that the Government had abandoned all their proposals one by one, and that they now eventually had come nearer to nomination only as the safest and most practical method of selection. He objected to the principle of self-election which they had all condemned. He urged the constitutional objection also, with which the reader is familiar. Mr. Disraeli, however, replied that efficiency and independence of the Council could be secured only by means of election. Lord Dunkellin supported the amendment, and drew the attention of the Committee to the fact that, even if seven members were elected

as proposed, the Crown would still have the majority. The amendment was eventually negatived. Mr. Gladstone proposed that the names of the first members of the new Council should be inserted in the body of the Act, as was at one time proposed by the Government itself, when Mr. Disraeli moved the India Bill No. 2. Lord Stanley, however, objected to the proposal as involving needless changes, and frankly admitted that in the legislative measure then before the Committee, the Government was "guided as much as possible by analogy to existing circumstances," with this difference only, that the number of nominated members had been increased from one third to a little more than one half. Sir Erskine Perry said he was sorry to find that the Government objected to Mr. Gladstone's proposal. It was said by some, Sir Erskine Perry added, that it was the intention of the Court of Directors to elect their seven members not from among the nominated members who were so well able to transact the business, but from among the elected members only; and if so they were as likely to elect the worst men as the best to sit upon the Council. The only objection he had heard was that it would be difficult to elect fifteen good men, for he could not select more than six or eight men of marked ability. The proposal was, however, negatived without a division. Subsequently, Sir James Graham moved an amendment to Section 8 that the Court of Directors should elect their seven members from among the elected portion thereof, but it was negatived without a division. Mr. Gladstone then moved an amendment that the Court should elect ten instead of seven members. He based his amendment on the ground that there should be a majority of the elected, and, therefore, presumably more independent members in the Council. Lord Stanley objected to the amendment on the ground that it was not necessary, as nominated members holding their office for life, or during good behaviour, would be as independent as

the elected members. The amendment was negatived. When section 9, which related to the manner of filling up vacancies in the Council, came on for discussion, Mr. Elliot suggested that any vacancy among the nominated members should be filled up by the Crown, and that one among the elected portion by the Council. Lord Adolphus Vane-Tempest moved as an amendment that the vacancies should be filled up by a constituency of the holders of India Stock, or of Railway stock, and retired civil and military officers, and all who had resided fifteen years in India. Lord Stanley objected to this amendment that the proposed constituency was not a satisfactory one, and it was not expected that any satisfactory constituency could be formed. This amendment was also negatived without a division. While on this subject we wish to make an observation or two. The complete collapse of the original proposals of Lord Derby's Government as to the election of half the members of the India Council, in support of which Lord Ellenborough, the author of those proposals, Mr. Disraeli, Lord Stanley, Mr. Gladstone and several others spoke so warmly,—but the first two statesmen more warmly than any of the rest,—furnishes an instructive and interesting moral to those who have directed their attention to the question of the reform of the India Council. The first moral to be learnt from the collapse is that the advocates of election weakened their case by urging insufficient reasons; for they who sought to introduce the elective element in the composition of the India Council, did not intend to provide any check upon the independent and absolutely responsible—we mean responsible to Parliament—action of the Indian Minister, but that they simply recommended it on the ground of the supposed efficacy of that process in securing efficient and independent members, efficient and independent in the sense of being able to afford honest advice. The second and more important moral is that the proposal for the

introduction of the elective element into the composition of the Council evidently fell through for the obvious reason that it had its origin not in any intention on the part of its proposers or of its supporters to secure representation of genuine Indian interest in the future, or even to secure efficiency and independence in the Council, but firstly in the desire to build up the new Government on the analogy and traditions of the old form, and secondly in the constitutional jealousy so inherent in the English mind of increasing the patronage of the Crown. We have no desire to push these observations farther on the present occasion, but we wish to take this early opportunity of impressing these lessons upon the mind of those whose attention may be directed to the solution of this important problem.

In Section 11 relating to the tenure of office, which was proposed to be one during good behaviour, Mr. Gregson moved an amendment having for its object the limitation of the tenure to five years. Mr. Lindsay supported the amendment, and said that as the section then stood, it would create vested interests, which could not hereafter be dispossessed without burdening the revenues of India with an intolerable charge for compensation, if at any future time the House decided to have no Council. Mr. Danby Seymour said he was in favour of the plan of the "simple" school. He asked if a man, appointed a member at thirty, were to live to be eighty, what good advice could such a man, who had not been in India for fifty years, give to the Minister? He thought the best plan would be to choose as Councillors the men who returned from India year after year, who would be well acquainted with the existing local circumstances, and who would be uninfluenced by Parliamentary intrigues. Viscount Palmerston said that he would fix the tenure of office for ten years, and declare the members ineligible for further nomination, as such a procedure would secure the required independence without the disadvan-



tages involved in the life tenure. The disadvantages attendant upon making the tenure for life were that it would secure men of antiquated experience to govern India, and make the Council a refuge for old age and infirmity; and moreover it would prevent government from obtaining the most recent experience. The amendment was negatived by a small majority. With reference to Section 12 which declared the ineligibility of members of the India Council to sit as Members of Parliament, Mr. Liddell moved an amendment that the ineligibility should be removed, because the members of the Court of Directors could sit as Members of Parliament, and no inconvenience had resulted from that arrangement. He supported his amendment on another ground, namely, that it would provide an additional guarantee for the independence of the members of Council, on which all of them laid so much stress. Several members supported the amendment, among them Lord John Russell, who said that the experience of the House, in connection with those members of the Court of Directors who had seats in that House, proved that not only no inconvenience had resulted from that arrangement, but that on the contrary the House derived considerable benefit from their presence there, owing to the great amount of light they threw on Indian subjects. The noble Lord admitted that there might be occasional inconvenience, but he added that he was satisfied that on the whole the preponderance was in favour of the advantages to be expected from allowing members of Council to sit in Parliament. Lord Stanley objected to the amendment on the ground, firstly that the proposed exclusion involved no new principle, as it applied even then to all judges, all permanent officials of the various public departments, and the whole clerical profession, and secondly that the duties of a member of Council and those of a Member of Parliament were incompatible; for with seats in that House, the Councillors of the Indian Minister would be his critics rather than his

colleagues. The amendment was eventually negatived by a very large majority. We shall now pass over the other clauses in connection with the minor arrangements about the constitution of the Council, which had reference to the salary and retiring pensions of the members or related to other matters not connected with the subject which we have proposed for this paper. All the clauses having been disposed of, the Committee proceeded to discuss additional clauses of which notice had been given.

Among these additional clauses was one of which Mr. Gladstone had given notice, and which he succeeded in passing. That clause related to the powers of Her Majesty's Government in utilizing the Indian army for other than Indian purposes, without the consent of both Houses of Parliament. There was also another clause among the additional clauses, which was very important, but which unfortunately met with a different fate. The clause in question was moved by Viscount Palmerston, and was to the following effect :—"That so much of this Act as relates to the nomination, election, numbers, duration of service, salaries, and retired allowances of the Councillors, shall not continue in force longer than for five years from the 1st day of August 1858." In support of this clause Viscount Palmerston urged the following reasons,—firstly, that the arrangements about the constitution of the Council, as made in the Bill, would in his opinion be found inconvenient in practice, because they would to a certain extent perpetuate the system of double Government, which they all agreed in condemning. Nothing beyond the mere changing of names had really been attempted, with this exception that gentlemen, who had hitherto received £500 a year for doing certain duties, were henceforward to be paid £1,200 a year for doing, at all events, nothing more, and probably less, than they did now, and also that they, who had hitherto had no pensions or retiring allowances, were to be allowed pen-

sions of £500 per annum each. Secondly, that whereas the members of the Court of Directors had been responsible, at all events, to their constituents, the members of the new Council would be responsible to none. Thirdly, that if at any future time Parliament resolved to reduce the number of councillors, there would be thrown upon the Indian revenues an unnecessary burden in the shape of compensation to those whose vested rights, as the holders of life offices, would be thereby interfered with. Fourthly that the number of councillors was unnecessarily large, and would result in the creation of mere sinecures. And fifthly and lastly, that if, after the expiry of the period of five years, it was found necessary after additional experience to render permanent the proposed arrangements, which now were simply based upon conjecture, that could be easily done by the passing of a short continuance Act. Lord Stanley on behalf of the Government objected to the proposed clause on the ground of its being unnecessary, for Parliament could at any time alter or repeal a measure now passed if practical experience proved it to be inconvenient. He also pointed out that the course now pursued was in conformity with the precedent of 1853, when Parliament refused to lay down any such fixed term of years for the duration of the Act, and when Lord Palmerston himself, having then been in office, objected to such a limit as he now proposed. And lastly, he objected to the proposal on the ground that if it were accepted, it might turn out afterwards that on the termination of the period named, Parliament might not be in a position to give that attention to the subject, which its importance deserved, owing to some great political agitation, or a war imminent or pending,— a state of things which would necessitate a resort to the clumsy expedient of a continuance Bill. Mr. Bright supported the proposed clause, and in doing so said that, in 1853 also, he had advocated the fixing of such a term to the duration of the measure. He believed that

but for the occurrence of the earth-quake in India in the form of that grand rebellion raging there, the eighteen gentlemen of the Court of Directors would have continued to govern India in their usual manner, and that the best argument in favour of the proposed clause was advanced by the noble Lord the President of the Board of Control himself (Lord Stanley), who observed that what was being done was very much based upon conjecture, and was of the character of an experiment. Mr. Bright then added that the members of Her Majesty's Government and their followers had been previously opposed to legislation on India that Session, but that having been compelled to legislate by force of circumstances, they had sanctioned and renewed an arrangement very much like the one they pretended to destroy. The last argument urged by Mr. Bright appears to us to be the strongest of all. He said that the fifteen gentlemen with handsome salaries, fair retiring allowances, and a good deal of patronage at their disposal, and whose work would be so easy that no one was able to say exactly why they were appointed, would be the last persons to complain of the Act under which they were created, and they would find that their friends in that House, and out of it, and in the press, would say that nothing was so admirable as the Act passed in 1858; and the result would be that little or no concern would be felt in the affairs of India, and its interests would to a great extent be practically neglected; that complaints might be made of such neglect, but these fifteen gentlemen would still assert "with the most unblushing countenances" that nothing could be better than their administration of India. He accordingly thought that it was absolutely necessary to provide for a revision of the existing arrangements at no distant date. Several members supported the amendment, but it was eventually negatived by a majority of 34. We think the reader will observe a striking corroboration of Mr. Bright's words uttered in 1858 furnished by the letter which ap-

peared some four months ago in the columns of the *London Times* in reply to an article by Mr. John Slagg M. P. in the *Contemporary Review* regarding the India Council reform question—a letter which is generally believed to have emanated from Sir George Birdwood of the India Office.

The Bill was shortly after read a third time, and passed by the House of Commons. In the House of Lords the discussion on the Bill, and on its detailed provisions regarding the constitution of the Council, was generally very nearly conducted on the same lines of argument as those urged in the House of Commons. Several noble Lords were opposed to the creation of the Council of India, among whom were chiefly the leader of Her Majesty's then Opposition in the House of Lords (Earl Granville), the Earl of Albemarle, Lord Broughton, the Duke of Somerset, and Lord Wodehouse (now the Earl of Kimberley). A few important, but to our present purpose immaterial, amendments were made in the Bill as sent up by the Lower House, and the Bill was eventually read a third time and passed. Only one Lord, the Earl of Albemarle, recorded his protest in writing against the creation of the Council of India. That protest gives in a narrow compass the arguments against the formation of the Council of India, and is as follows :—

"1. Because the Bill establishes a Home Administration for India at once inefficient, unconstitutional, and expensive.

"2. Because the Council it gives to the Secretary of State is too numerous for either deliberation or action, while the parties composing it consist mainly of the very individuals who were engaged in conducting that form of Government which the Bill itself condemns and supersedes.

"3 Because the measure provides that a moiety of the Council shall be chosen on the vicious and long-condemned principle of self-election.

"4. Because the Members for Council are virtually appointed for life; and besides being endowed with large salaries and ample pensions, are moreover paid by a great patronage, for the dispensation of which they are wholly irresponsible.

\* 5. Because the Government provided by this Bill, partaking largely of the character and composition of its condemned predecessor, holds out little hope that the misgovernment which has driven the people of India into rebellion will be abandoned.

\* 6. Because the Members constituting the Council of India, while drawing large salaries and enjoying extensive patronage, are contrary to Parliamentary precedent and sound principle, not prohibited from holding other offices of emolument, or engaging in commercial transactions, thus interfering with their efficiency as Public Servants, and exposing them to the suspicion of jobbing and corruption.

\* 7. Because the Council constituted by the Bill, cumbrons, expensive, and inefficient, can have no other effect than either to thwart the Secretary of State, or to screen him from Parliamentary responsibility, while efficient and experienced Under Secretaries would have afforded more effectual and constitutional advice and assistance in the discharge of his duties.

We have thus in the foregoing pages summarized the discussions on this important subject in 1853 and 1858. So far as the constitution of the Council of India is concerned, some important alterations were made in the Government of India Act of 1858 in 1869, and again in 1876; but as we have already exceeded the limits we had originally proposed to ourselves, we hold over a summary of the discussions in 1869 and 1876 to a future occasion.

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## SUGGESTIONS FOR REFORM IN THE CONSTITUTION AND POWERS OF OUR CIVIL AND CRIMINAL COURTS.

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THE three essential conditions which every civilized administration of justice must fulfil are, firstly that the courts of law should be presided over by competent men, competent according to the quality of the work before them, and whose fair fame is above all taint of corruption; secondly, that the justice administered should, as far as possible, carry public feeling with it, and give assurance to the community of a fair and impartial hearing in all cases; and thirdly and lastly, that the justice administered should be cheap, speedy, and final as far as may be. The administration of justice in British India necessarily pre-supposes the recognition of another essential condition, for which there is no place in self-governed countries, namely, that the machinery of administration must be controlled in the last resort by a foreign race of rulers, whose political prestige and predominance should be preserved intact. Judged by these tests, we do not think that the existing constitution of our civil and criminal courts, however advanced it may be upon the old native models, is as satisfactory as one would wish to see it, or in keeping with the advance that has been made in all other directions. The fact is, that while fair progress has been made in all other departments of state, the subject of judicial reform, especially in the constitution of our civil and criminal courts, has not received the same measure of attention. Our laws have been codified, and the procedure of our courts has been elaborated upon the model of the most advanced countries, but the machinery of the courts is as antiquated and unsympathetic as it was in the early part of the century, although in the

interval the public spirit and intelligence of the people have admittedly out-grown the condition of things in view of which the courts were originally instituted. The main principles on which this constitution was originally based may be described to be a jealous exclusion and depreciation of popular agencies, and a distrust of the purity and efficiency of the native judiciary at the bottom of the scale. This jealousy and distrust can alone account for the complicated system of checks and appeals involving in their operation an enormous waste of power, money, and time, and untold vexation and harassment to the litigant parties. It was thought at the time that European supervision and control could not possibly be made too thorough and minute, although this consideration made it necessary that the second hearing of every contested civil or criminal proceeding should take place before a relatively more inefficient tribunal than the court of the first instance. The association of the people in the work of administration was in those days thought to be unsafe, and accordingly the old panchayats and village authorities were stripped of their powers, which were summarily transferred to stipendiary officers whose chief recommendation was that they were inaccessible to popular influences. The same exigencies of foreign domination made it necessary to centralise executive and magisterial functions in one and the same hands, and for the same reason all honorary native agency was jealously excluded. These guiding principles of action were quite intelligible, and might have been even necessary in those early days, but it cannot be denied that this necessity has long since ceased. The organization of the native judicial service on more liberal salaries, the institution of competitive examinations, the growth of higher education, the codification of our laws, the elaboration of our procedure, the amalgamation of the Sadar and Supreme courts, the rise of an independent and respectable bar, the admitted integrity and intelligence of the native judges, the development of public



spirit which has secured recognition for itself in the co-operation of jurors and assessors and of honourary magistrates, all these, and many other indications of the times furnish a strong justification for advocating a reform in the constitution of our courts. These reforms being too long delayed, the evils and abuses which have grown up in the course of years have brought discredit upon the administration. The vexatious delays and the heavy costs of our civil litigation, the cumbersome system of appeals and second appeals, the oppression practiced by irresponsible authorities who subordinate their judicial functions to the needs of their executive power, the alienation of public feeling which but too often sympathises with the wrong-doer from its suspicion of police and magisterial high-handedness, all these evils call for urgent and speedy reform. These complaints constitute the main subject of criticism in the native newspapers, and thereby add to the bitterness of race antipathies.

Under these circumstances, we think that the time has now come for a full and careful investigation of these complaints with a view to the adoption of adequate remedies. Under the East India Company's rule, advantage was taken of the renewal from time to time of the Company's charter to inquire into the past administration of the country, and measures were adopted to redress all admitted grievances. This periodical revision has been discontinued since 1853, and it therefore becomes more than ever necessary that the Government of India should itself undertake this inquiry by means of a small committee composed of representatives from the different provinces. A mixed native and European committee formed on the model of the Education Commission, which has done such excellent work, would go about, and make inquiries on the spot, would note the varieties of constitution and national aptitudes, and discuss with competent men on the spot the reforms called for by the altered condition of the times, and approved by practical men

conversant with the details of this most important subject. With the report of such a committee before it, the Government of India will find its hands strengthened for effective action, and can hereafter deliberately proceed to carry out such legislative and executive reforms as might be deemed necessary and practicable.

The main heads of inquiry which might be laid down for the guidance of such a committee may be briefly thus set forth :—

1st. How far, and in what direction, the present constitution of our civil courts, of original and appellate jurisdiction, can be safely altered so as to avoid the complaints of vexatious delays and heavy costs, and consequent failure of justice.

2nd. Whether the complicated system of first and second and third appeals can be simplified without prejudicing the necessary guarantees for the administration of justice.

3rd. To what extent is the present combination of judicial and executive functions undesirable, and if a change has to be made, what plan can be proposed which will secure the main object in view.

4th. Can the system of trial by jury be extended to all serious offences triable by the sessions courts, and if so, under what guarantees?

5th. Can the agency of Honourary Magistrates and civil arbitrators be extended, and its efficiency increased by the adoption of Bench tribunals.

A few remarks on each of these points in the order named above will not be inappropriate in this place. Destructive criticism in practical matters like these counts for nothing. Those who condemn the existing system are, therefore, bound to propose a working substitute in place of the system attacked. ( I. ) In regard to the first point, our view is that a radical reconstruction of our Courts is most urgently called for, and

the plan we propose has the merit of being at once safe, economical, and efficient, and it has the high authority of Sir Fitz-James Stephen, than whom no name can be mentioned as more entitled to public deference in this connection. At present the subordinate courts are found to be established in every Taluk or two of the districts, and exercise jurisdiction in all manner of suits up to Rs. 5,000, and there is one subordinate court in each Zilla town with unlimited jurisdiction. The district and assistant Judges exercise no original jurisdiction except in a few rare cases where government or its officers are concerned as parties. The test of value as separating jurisdiction is a fallacious test. About 80 percent of suits are of the nature of small causes in respect of which only one appeal is allowed to the district court. For the most part, however, no appeals are preferred, except where parties wish fraudulently to gain time. In the remaining 20 per cent of suits relating to land and houses, by far the most part are contested, and they go up in appeal to the district or assistant judges. This illogical division of work entails a needless waste of time and money, and often causes vexation and failure of justice. The plan we propose is to reconstitute these courts on a more logical basis. We would strengthen the court at the Zilla town by constituting a District High Court, composed of the District Judge, the Assistant Judge, and one or two first class sub-judges. This court so constituted should have cognizance of all cases which do not come within the category of small cause court suits. The district High Court would sit as a Bench or in division courts, to decide all the cases regarding lands and houses and personal status in the first instance, and finally. The other courts would exercise only small cause jurisdiction, within their limits, and the subjudges presiding over them, being thus relieved, could be utilised for criminal work as magistrates of the first or second class. This arrangement would distribute civil work according to the presumed competency of the judges. A strong District High

Court would do away with the necessity of first appeal, thereby diminishing the chances of delay and minimizing costs to a most sensible extent. It would also strengthen the district bar, and promote cordial relations between the Native and European members of the district courts. The plan in fact is based upon the model of the Presidency High Court original side and the Small Cause Court.

(II) The present system of appeals from the subordinate judges to the assistant or district judges is open to two objections: firstly the district and assistant judges are not trained by the discharge of original work to deal effectively justice in appeal. Too often the appeal is, in the words of Sir Fitz James-Stephen, from a presumably more competent to a less competent tribunal. And secondly the sub-judge knows the language and manners of the people, takes down the evidence in his own hand, and decides according to his knowledge of the credibility of the witnesses and the probability of the facts attested to by them. The superior Judge is a foreigner in race and feeling, is imperfectly acquainted with the language, has not the witnesses before him, and yet is called upon to sit in judgment upon questions both of law and fact, and his appreciation of the facts is final, the second appeal being confined only to points of law. This arrangement appears to us to be very anomalous and defective. As might be expected, he confirms in a large majority of cases the decisions appealed from, and to that extent the costs and delays of this second hearing are needlessly thrown away. In the minority of cases where he reverses the decision of the lower courts, the chances are equal that he may be in the wrong, and parties take up the matter in second appeal to the High Court, which as often confirms the decision in appeal as it sets it aside, and restores the decree of the subjudge's court. All this procedure is unnecessarily burdensome. Under the plan we have proposed, the first and the only appeal would be to the High Court, which should not

be, as at present, bound to accept decisions on questions of fact any more than those of law. No greater work will be thrown upon the district court if proper precautions be taken to give finality to every well-considered judgment. The District Court will moreover be relieved of its appellate functions in consideration of the additional original work thrown upon it.

(III) The third point relates to the separation of judicial from executive functions. In this Presidency the separation is completely carried out in civil matters, and in criminal cases it is as complete as can be wished in so far as the higher grades of courts are concerned. It is only in the case of district and assistant Collectors and Mamledars that this combination of functions is maintained. As a matter of fact, however, the district Collector very rarely exercises original powers. His appellate powers may be left with him, and, if it is necessary for maintaining prestige, he may be still allowed to have in reserve his criminal powers. As regards his assistants and deputies, we think that it will be a change for the better in the interests of their duties to relieve them of their criminal functions. These officers are necessarily on tour for eight months in the year throughout the district, and it is a great inconvenience to the parties and witnesses to be obliged to follow their camp. We are aware that the prestige of criminal powers is deemed necessary by these officials for the exercise of their other functions, and a radical change like this may not be practicable or safe. Sir Fitz-James Stephen attaches great weight to this consideration, and in deference to his views we are willing to concede that these officers may be allowed to exercise their criminal powers when they are at head-quarters for one-third of the year. In regard to the Mamledars, no such prestige can be pleaded as an excuse. We have no objection to this class as a body, but it cannot be denied that their miscellaneous work takes up too much of their time. They cannot be also compared with the Sub-judges

in judicial training. Under the plan we have proposed, the sub-judges, being relieved of their heavy contested work, would find time to take over from the Mamledars much of their criminal work. If a sudden change be not desirable at once, we are prepared to leave the Mamledars in possession of their third class powers, and would relegate all higher work to the sub-judges assisted in convenient places by an increase in the numbers of Honorary Magistrates where-ever available. This experiment of transferring criminal work to the sub-judges was tried by Government during the last famine, and the results were very satisfactory. Such a transfer will tend at once to increase the confidence of the people, provide checks against all possible abuse of power, and educate the people in habits of self-reliance and obedience to law in a way which is almost impossible under existing arrangements.

(IV.) On the fourth point, we think that the time has now arrived for a judicious extension of the jury system in the trial of all sessions cases. The Government has already under the existing law power to extend the jury system to all districts, but, like the right of election to Municipal Boards, this power has been very sparingly exercised. In this Presidency, the jury system has obtained outside the presidency town in the Poona district only, and here the results have been eminently satisfactory. The system of assessors labours under the defect that no responsibility attaches to the office. It is no wonder, therefore, that the work is indifferently done. In the Poona district the same set of people act as jurors and assessors, and there can possibly be no reason why the same set of men should give satisfaction as jurors, and work indifferently as assessors, except that they do not feel the same interest in their work. The jury system may safely be extended under proper guarantees, and it will associate the people in the work of criminal administration. It is the most practical adoption under exis-

ting circumstances of the old Panchayat tribunals. The criminal, convicted by a jury, is condemned not by Government authorities, but by the voice of his own people. This in itself is a very great advantage to both the Government and the public. Its educating influences need not be enlarged upon. There can be no loss of prestige in the free concession of this right to people who have proved that they are well-fitted for it. The conferring of this right upon the European accused by the recent Amendment Act has made it more necessary than ever that this invidious distinction between Europeans and Natives should be removed from the statute book. As regards the guarantees for its successful working, we think that the provision which allows a reference to be made to the High Court in cases where Judge and Jury differ is a very salutary provision. It has worked admirably hitherto, and may be expected to produce the same results hereafter. No other guarantee appears to us to be necessary for the safe working of the system.

(V) In regard to the fifth and last point, Government has already taken the initiative in appointing in a few places Honorary Magistrates, and in directing them to sit as Bench magistrates. The legislature has conferred this power on the local authorities, and as a beginning has already been made, we think there can be no serious objection to its general extension. The Justices of the Peace in England correspond to our Honorary Magistrates, and the powers of these latter should be developed on the English model. All Municipal cases, all cases under special laws, such as the Forest, Abkari, Salt and Opium offences, the right of licensing liquor shops and similar other powers, should be conferred upon these mossul gentlemen. Every person able to read and write, who has an assured income of more than five hundred Rupees, should be made a magistrate within defined localities. These magistrates should not be permitted to sit separately. Sitting in Benches at stated times, there would be no

chance of abuse of power. The faults of any one of them would be corrected by the action of his colleagues on the Bench, and a healthy publicity would be ensured. In this way a great deal of miscellaneous work can be safely handed over to the representatives of the people. In civil matters they would act as conciliators and Munsiffs for their small towns or villages. This extension of powers would make local self-government, a reality, it would enlist the sympathies of the people and would create interest. Without these powers, the recent concessions in regard to Local and Municipal Boards may, in the course of years, not unlikely prove abortive failures. In England these powers are joined together in the same hands, and this combination of functions accounts for the success of the scheme there. A similar trial must be attempted here if government is anxious for the success of its liberal policy.



# THE INDEPENDENT JOURNAL

THE

## Independent State of Illinois

OCTOBER 1959

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# PROCEEDINGS OF THE SABHA.

## A MEMORIAL TO H. E. THE VICEROY ON THE INDIAN CIVIL SERVICE EXAMINATION.

HIS EXCELLENCY THE RIGHT HON'BLE

THE MARQUIS OF RIPON K. G., G. M. S. I.,

VICEROY AND GOVERNOR-GENERAL OF INDIA.

SIMLA.

The humble memorial of the Poona Sarva Janik  
Sabha and the other inhabitants of Poona

Most respectfully sheweth,

That your memorialists have been filled with great dismay and disappointment by the reply which the Secretary of State for India gave to the deputation of the Indian Reform Association which waited on his Lordship on the 3rd of April last, and presented a memorial on the subject of raising the maximum limit of the age of candidates for the Indian Civil Service Examination from 19 to 21 years. The deputation consisted of many Members of Parliament, retired Anglo-Indian statesmen, friends of India, representatives of the Indian community in England, all of them intimately acquainted with the circumstances of India, and anxiously concerned in the efficient administration of its affairs. The memorial they presented, set forth in detail the personal, scholastic, social, administrative and political considerations which justified a change in the existing arrangements on grounds, which concerned not only the natives of India, but also the candidates who went up to the examinations from the United Kingdom. The memorial was further supported by the testimony of Professor Jowett, Sir Charles Turner, and several retired Civil Servants of long standing, as also by extracts from the Native Newspapers which unanimously advocated the change proposed. It was, therefore, a painful surprise to your memorialists and the people of India generally to learn that the Secretary of State in his reply to the deputation stated that sufficient time had not elapsed, since the reduction of age was effected, to show its permanent results, and that a case had not been made out for a return to the old order of things, as prayed for by those who joined in the deputation.

Your Memorialists have, however, learnt with satisfaction that the Government of India has called for an expression of native public opinion on this matter with a view to press the subject once more upon the consideration of the Secretary of State in Council. Your Excellency's Government has already given so many proofs of its anxiety to do its best for the promotion of Native interests, and for establishing the

foundations of British power in India on the broad basis of equal justice to all classes, and a gradual, but progressive, development of a liberal system of administration, that your Memorialists are emboldened to once more approach your Excellency in Council with a prayer for a change in these rules on the lines suggested in the memorial of the Indian Reform Association. The reasons which, in your Memorialists' opinion, justify this change may be thus briefly summed up.

1. The reduction of age carried out in 1878 has effectually shut out all native candidates from aspiring to enter the higher branches of the service in British India. Since the change was effected, only one native candidate has passed against many times that number in previous years. It necessitates that native youths should be sent to a foreign country at a time of life when, under existing circumstances, no Indian parent or guardian will trust them to live alone in the midst of strangers.

2. The change made in 1878 was, it now appears from the published correspondence, deliberately intended to have this effect. Many Anglo-Indian authorities recommended it on the ground that, as it was impossible to persuade Parliament to set aside its pledges, given from time to time, of equal justice to all classes of Her Majesty's subjects, reduction in the age would accomplish the same result indirectly. Your Memorialists, however, feel assured that neither the Government of India, nor the Home Government will approve of such indirect procedure, and now that five years experience has shown that it has led to the exclusion of Natives from the service, your Memorialists trust that Your Excellency in Council will devise some practical means to give effect to the solemn pledges of Parliament and the Crown.

3. The change, moreover, has injuriously affected not only the interests of the natives of India, but, in the opinion of many competent English authorities, it has lowered the quality and efficiency of the English candidates as well. The average number of English candidates for the Civil Service examinations has fallen from above 300 to 150, which shows that the service in India has lost its attraction for the best men in England. The strain upon the minds and bodies of the young candidates has been so great that it has been officially stated by the Bombay Government that a much larger proportion than before of the men sent out are defective in physique and bodily stamina, and succumb to the climate in such a way as to become unfit for work. The opinions of the other Governments, which were consulted on the point, did not show that any such weakness was observed in the ranks of the service in the other presidencies, but even these opinions gave only a qualified contradiction to the views of the Bombay Government.

4. Besides the strain on the body and the mind inflicted by the reduction of age noticed above, it has also led to the result that fewer

candidates are sent by the Universities than used to be the case before. The present limit of age takes up the candidates before they leave the public schools and join the Universities. This difficulty of securing liberal education has told upon the qualifications of the candidates in numerous ways which it is not necessary to set forth here in detail. The advantages of a liberal education in those who are sent out to govern India can not be too highly appreciated.

5. As a further consequence of this reduction of age complained of it has been found by experience that in too many cases an irresponsible power has to be entrusted in the hands of immature youths, at a time of life when they are not fitted to wield such a charge. The complaints of irregularities and exhibitions of temper on the part of young men so situated, which appear so often in the public Press, are due to this cause, and they bring needless discredit upon the Government and injuriously affect the administration generally.

6. For all these reasons, your Memorialists think that this subject requires reconsideration on the part of the Government of India. In the case of Native candidates, there is an additional reason for supporting that the limit of age may be raised without injustice. The English Civil Servants who come out here have to spend two years in learning the Indian languages before they can be safely entrusted with responsible power. This difficulty does not exist in the case of the Native candidates. Your Memorialists, however, do not desire any differential rules in favour of their own countrymen; the change they propose is in the interests of all candidates, English and Native alike, and for the reasons stated above they hope that your Excellency in Council will carry into effect this most desirable reform.

7. It is true that almost simultaneously with the reduction in the limits of age of the Civil Service candidates, a new native Civil Service with a restricted scope of official functions, with lower pay and less favourable conditions of promotion, was created in India which was to be filled by nomination out of representatives of the old nobility. Your Memorialists must beg leave to record their belief that the establishment of such a Native Service as the Statutory Civil Service did not carry out the intentions of Parliament when the Act of 1870 was passed. That Statute was, your Memorialists would humbly submit, intended to cover the cases of persons like the Hon'ble Rao Bahadur Gopalrao Hari Deshmukh, were, and would be hereafter, rewarded for their "proved merit and ability" by their admission to the ranks of the Covenanted Service. The Statutory Civil Service, as established in 1879, has been founded upon a different principle altogether. And against that principle your Memorialists have always protested. The candidates selected failed to secure that equality of position which can only come from equality in original admission under the

same tests as those which apply to the majority of Civil Servants. In many cases this power of patronage has been abused. While on the one hand the Statutory Service has failed to give satisfaction to the Natives, it has on the other hand been looked down upon by the Europeans. The existence of this service, and their inferior qualifications, was one reason among others which made the opponents of the Criminal Procedure Code Amendment Bill so disposed to find fault with the concession which Your Excellency's Government was prepared to offer in the interests of a fair and impartial administration of justice. Your Memorialists understand that it is contemplated to improve the Statutory Civil Service by introducing some reforms into its constitution. But your Memorialists beg leave to take this the earliest opportunity to state their opinion in the most clear and unequivocal terms that no improvement that can be made in the said Statutory Civil Service will satisfy the just and legitimate aspirations of the people of this country. They apprehend that the Statutory Civil Service, howsoever improved, can not much differ from the Uncovenanted Service which is even now open to the people of this country. What your Memorialists desire is that the 87th clause of the Government of India Act of 1833 should be given effect to in a fair and ungrudging spirit by throwing open all higher appointments to Natives and Europeans alike without any regard to colour, descent or creed. Your Memorialists feel confident that such was the intention of the British Parliament when the Civil Service or the admissions to the Haileybury College were first thrown open to unlimited public competition. It was even then suggested that some collegiate institution in India should be recognized in the same way as the Haileybury College was, and that this proposal was then supported by Lord Stanley (now the Earl of Derby). The then President of the Board of Control, Sir Charles Wood, promised on behalf of Her Majesty's Government that "it would be time to make regulations for the examination and admission of persons in India when Colleges had been actually instituted there." Since then thirty years have elapsed, during which period Universities have been established, and collegiate institutions have flourished in a remarkable degree, as has been clearly proved by the evidence before the Education Commission. Your Memorialists accordingly submit that the time has arrived when the promise held out in 1853 should be carried out by ordering the competitive examination for the Indian Civil Service to be held simultaneously both in England and India.

Your Memorialists accordingly pray that your Excellency in Council will add to the many other benefits conferred on the people of India during your Excellency's tenure of office by urging on the Secretary of State that in the opinion of the Government of India the time has now come when the limit of age should be raised from 19 to



21 as suggested in the memorial of the Indian Reform Association, and that the examinations should be held simultaneously in England and in India. For this act of kindness Your Memorialists will ever pray.

Poona, 23th August 1884.

KRISHNAJI LAXUMAN NULKAR,  
Chairman of the Poona Sarvajanic Sabha.

TO THE EDITOR OF THE "BOMBAY GAZETTE."

SIR,—In your impression of the 25th instant you have reviewed the memorial of the Poona Sarvajanic Sabha to the Government of India on the subject of the Indian Civil Service, expressing your unqualified concurrence in that portion of the prayer which asks for the restoration of the old limit of age, and expressing a disapproval of the other portion of the prayer, to wit, that "the examinations be held simultaneously in England and India." You think it to be "obviously undesirable" that a "distinct" examination should be held for natives, and that too in India. You then proceed to add that if the second portion of the twofold prayer contained in the Sarvajanic Sabha's memorial were granted, both the service itself would suffer and the native members themselves would be at a disadvantage, in so far that in filling up higher situations the members of the English portion of the covenanted service would be preferred and would be promoted over the heads of the native members, simply because the latter would not have had the advantage of education in England.

Now, permit me in the first place to observe that the Sarvajanic Sabha is as much opposed as you are to instituting any "distinct" examination for the natives of India as the means of entering the covenanted service. What the Sabha prays for is that native youths should be subjected to the same intellectual tests which English youths are subjected to, but with this difference only, that to satisfy those tests it should not be compulsory on the former to undertake a journey to a foreign and distant country. There ought certainly to be no difficulty in arranging to send to India the same examination papers that are intended to be issued to English candidates, nor in forwarding back to the examiners in England the answers of native candidates in India. All this, I submit, can be arranged without any difficulty, and this is exactly what the Sarvajanic Sabha proposes in its memorial on the subject. You will thus see that the Sarvajanic Sabha does not propose to have a "distinct" examination for natives instituted.

Now, a word as regards the propriety and justice of this prayer. The Sabha no doubt holds, and rightly too I think, that the mere restoration of the old limit of age will not be sufficient to satisfy, in an

adequate manner the just and legitimate aspirations of my countrymen. The Sabha no doubt further holds, and rightly too I think, that to insist upon native youths competing in England for the Civil Service examination is like throwing an artificial barrier in their path which, although experience has proved that it does not throw a quite insuperable barrier, has pretty nearly the effect of denying to native youths an entrance into the Civil Service. Moreover, this barrier does not serve any very useful purpose, as far as can be seen. To convince you that this is by no means a novel view, let me refer you to the debates that took place in the House of Commons in 1853, when for the first time the Indian Civil Service was thrown open to unlimited public competition. Even then some attempts were made by some generous Members of Parliament to effect what is now sought to be effected. And such proposals were even then supported by Mr. John Bright and Lord Stanley (now the Earl of Derby). It was then proposed that as the East India Company had established the East India College, or, to give it its more popular name, the Haileybury College, the Company should establish a similar college or colleges in India, admissions to which, as in the case of the Haileybury College, should be thrown open to unlimited public competition. Even Sir Charles Wood, the then President of the Board of Control, was so struck with the fairness and reasonableness of the proposal made that he said that there were then no colleges in India, and that "it would be time to make regulations for the examination and admission of persons in India when colleges had been actually instituted there." (*Vide* Har- sard, vol. 129, page 684.) Lord Stanley, who was one of the few that supported the proposal, said that upon the acceptance or otherwise of that proposal "turned the whole question whether or no the natives of India were to be admitted to the Civil Service of the Company." His Lordship then added that "he did not think it at all likely that many of the natives of India would come over to be educated at Haileybury." But this, he said, was not to be regretted much, "because the educational establishments in Calcutta and other large towns in India were of a very superior character." It should be remembered that Lord Stanley bore this testimony from his personal knowledge and experience, because shortly before that the young nobleman had made an extended tour in India. His Lordship then proceeded to add that "it had been stated more than once in the evidence before the Indian Committee,"—the noble Lord was himself a member of the Parliamentary Committee of Inquiry to which he refers,— "and indeed he might take it on himself, from his own personal knowledge, to state the fact that, so far from there being any deficiency of educational establishments in Calcutta and other great towns of India, there would not be the slightest difficulty in any

native properly qualified by nature obtaining, without the necessity of a voyage to Europe, every kind of knowledge that was necessary in order to render him fitted for office in India." And then he added that "he did not believe that in point of intellect or ability there would be found the slightest difference, speaking generally, between those who received their education at Haileybury and those who were educated at those establishments in India." It deserves to be noted that the period of which Lord Stanley spoke thus was the period before the establishment of Universities in India. Since then, however the educational institutions of India have been vastly strengthened and have admittedly improved. So on this score there is nothing to complain of.

It will be again granted that the condition involved in holding the annual examination in England has a prohibitive effect in more ways than one. On this point Lord Stanley spoke on the occasion referred to as follows :—" Let them suppose, for instance, that instead of holding those examinations here in London they were to be held in Calcutta. Well, how many Englishmen would go out there, or how many would send out their sons, perhaps to spend two or three years in the country on the chance of obtaining an appointment? Nevertheless, that was exactly the course proposed to be adopted towards the natives of India." If time and space permitted, I would give extracts from the speeches of Mr. John Bright and Lord Monteagle, but I trust that those I have given are sufficient for the purpose of my contention. And I hope you will be inclined, after reflection, to admit the propriety and justice of the second portion of the twofold prayer in the Sarrajanik Sabha's memorial, both of which you have questioned in the article under notice.

Now, as regards residence in England prior to the date of the annual competitive examination, I do not think that even under existing conditions such residence is absolutely necessary, for native candidates can prepare for the examination here and present themselves in England at the time of the examination. If such be the case, then it becomes very clear that the condition you propose to perpetuate can have no other than a prohibitive effect. The mere restoration of the old limit of age cannot have the desired effect, for during a period of thirteen years, from 1866 to 1878, both inclusive, when the limit was 21, how many native youths succeeded in effecting their entrance? Only ten, as is seen from a recent statement of Mr. Cross in reply to Mr. O'Donnell's question. Ten successful candidates in thirteen years is, as you will doubtless admit, a very insignificant and inappreciable number. And I do not believe that there are any reasonable grounds to hope that in future years the number, though it may increase to some extent, will ever come up to what will generally be considered a

reasonable proportion. And the only way in which that can be brought about is to allow native candidates for the competitive examination to be examined in India, or, in other words, to establish one or more centres in India on the same principle which has recently been recognized by the Bombay University in the case of its Matriculation Examination. And it was on such considerations as the above that the Sarvajanic Sabha felt itself bound to submit a twofold prayer.

It will be thus apparent from the foregoing statement that the Sarvajanic Sabha does not wish to have a "distinct" examination instituted for native candidates, and also that in submitting the second portion of its twofold prayer the Sabha has simply followed a course which recommended itself to the judgment of such distinguished men as Mr. John Bright, Lord Stanley, Lord Monteagle, and several others as early as thirty years since.

In conclusion, I wish to state clearly that the Sarvajanic Sabha is in no way inclined to undervalue the many-sided advantages which native youths would derive from a residence in England and from contact with the superior civilization of the West; and I think that the Sabha would accordingly have no objection to the selected native candidates being required to spend a couple of years in England and on the continent of Europe. As regards the question how these candidates should spend that period, it is a matter of detail, which need not be gone into here, more especially, because this letter has already exceeded the limits I had originally proposed to myself.

S. H. CHIPLONKAR.

Sarvajanic Sabha Rooms, Poona. June 27.

## THE ECONOMIC RESULTS OF FREE TRADE AND RAIL- WAY EXTENSION.

Mr. John Slagg, M.P. for Manchester, has observed, in his recent contribution to the *Contemporary Review*, that "as a member of the Indian Railway Committee, I have been profoundly impressed by the utter absence of official evidence as to the economic effects of Railways on the condition of the people. It is evident to me that in the vast expenditure on Public Works, which for the last quarter of a century has gone on in India, we have been literally plunging in the dark. \* \* \* We have spent an enormous amount of the wealth of India in the construction of Railways, canals, and other works, under the impression that we thereby not merely develop the resources of the country, but greatly improve the condition of the people. There is a strong desire in official circles that this vast expenditure should continue, but we are by no means fully supplied with evidence as to its good effects so far upon the people. The point ought to be certainly decided, either in the affirmative or in the negative, before any further continuance of the policy is sanctioned, or otherwise we may discover, when too late, that we have laid burdens on our Empire by the very policy which was intended to enrich it." This deliberate expression of the views of the Member for Manchester will be welcome to all who have watched the proceedings of the Parliamentary Committee on Indian Railways, which has recently submitted its report recommending a large extension of Railways throughout India during the next few years, as proposed by the Government of India. The point of view from which the Committee have viewed the question has been that of the official experts, or the interests of the foreign trade. The stand-point of the native tax-payer, who is chiefly

interested in the direct and indirect effects of this proposed extension, is to some extent in conflict with the interests of foreign capitalists and traders. This fact was not placed with sufficient prominence before the Committee, who on their part did not display any anxiety to secure an expression of Native opinion on the subject for their enlightenment. It is, however, not too late in the day to supplement the inquiries of the Railway Committee by an examination of the first principles lying at the root of the economic policy of Government, in this connection, and of the practical effects which have followed, or which may be expected to result, from the further continuance of this policy on the same, but greatly extended, lines. It may well be hoped that before the report receives the sanction of Parliament Mr. Slagg, and the band of Parliamentary friends of India who work with him, will enforce public attention to the views of the Indian people, and endeavour, as far as may be possible, to supply the deficiency noticed above, before Parliament lends its sanction to the one-sided recommendations of the Committee.

We propose in this place to analyse the effects of the forward public works policy, which has of late found favour with Government in its bearings upon the condition of the people. Next to the great agrarian problem brought to the front of practical politics in India by the discussions on the Bengal Rent Bill, the Relief Act, and the results of the revenue settlement operations, the question of the extension of public works, principally of Railways, is by far the most important in its bearings on the condition of the people, and involves more important issues in the future than are apparent at first sight. The Government of India, in its anxiety to develop and facilitate the import and export trade of the country in a way to enable it to compete with America in the English market and furnish a larger demand for English manufactures, proposed last year to construct through

its own agencies, or through private companies, more than five thousand miles of Railway at an estimated expenditure of thirty millions during the next few years, chiefly by borrowing the capital required for the purpose in the English market. These proposals have been generally approved by the Committee appointed by Parliament. Both the Government of India and the Parliamentary Committee do not, however, seem to have sufficiently realized the fact that in America free trade does not exist, and protection rules supreme; that the Railways are not state undertakings, but are built by private enterprise on its own responsibility; and that the Railway system in America is only one portion of its material development, the other factors of agricultural, manufacturing, and commercial prosperity being developed at the same time all over the country. Our conditions here are *peculiarly* un-American. Our Railways are state undertakings. The responsibility to find the interest for foreign capital is a charge upon the Indian people, and the Railway development is unaccompanied by a general increase in the elements of national well-being. The co-ordination of industries which must be organised to secure material progress, and the system of economic measures, partly protective, and partly stimulating, which have worked such wonders in America, are conspicuous by their absence in this country. The American example is, therefore, not to the point. In this country, which is economically in such a primitive and backward condition, a too exclusive policy of pushing on Railways at American speed, beyond the resources of Indian finance, will, unless accompanied by other economic measures of far greater importance, only end in national impoverishment. We are not opposed to the growth of Railways *per se*. They are good in their own way as providing cheap transit, and promoting national solidarity, and facilitating trade-movements, but when their extension is made the *ultima thule* of State

action on its economic side, their tendency to prevent, in a country like India, a healthy material advance on *normal lines* must be duly taken into account, for unless they are accompanied by other and more important measures conducive to a better organisation of national industries, they do not add to the intensive strength of the country, which alone furnishes a firm foundation to its expansive greatness. We want undoubtedly a vigorous public works and Railway policy, but it must be based on broader, safer, and more national principles, and must be such as to help, and not to starve, the organic and co-ordinate development of our economical condition in all directions.

Our opposition to the Government proposals in regard to the extension of Railways is not based on the somewhat pedantic ground that the building of Railways with a view to open up the country to trade does not appertain to the proper functions of Government, but is in a peculiar sense the nation's own work, and must be left to the unrestricted agency of private enterprise. We admit freely that Government is not simply the constituted agency of public protection, but is also the constituted representative of the collective strength of the community, and may undertake within certain limitations other duties which can better be performed by the collective guarantee of the nation than is possible to private enterprise, independently of such help. In advanced countries where the people have the means, the energy, and the knowledge to push on in their career of economic progress without extraneous help, the scope of the action of the Government is necessarily circumscribed within narrow limits, and it may content itself with watching public safety, and safe-guarding the internal activities and facilitating them by the removal of artificial hindrances and obstacles. It might, for instance, accept free-trade as the guiding principle of its commercial policy, and, as was done in England forty years ago, secure the greatest freedom of international ex-



change. It might also, as has been done on the continent of Europe, and in America, and in the British Colonies, resort temporarily to the cordon of protection to guard the growth of its infant industries from the blight of foreign competition. In countries not so happily situated, where the people are economically in a backward condition, and as in Japan, China, and India, cannot command sufficient private enterprise to work their way to a higher order of life, Government has a task of greater difficulty and responsibility, for it has to help the nation to help itself by undertaking the entire organization and direction of national energies in a way to fit them to stand on their own independent footing. This it can only do by fostering every variety of occupation which the physical conditions of the country, and a parallel co-ordination of industries may render possible, and profitable in the present or in the immediate future with a view to complete and perfect the system of national production, create the growth of capital and enterprise and train the nation by practical and scientific education for a higher type of social and industrial life. This responsibility in the case of backward nations is made more burdensome when foreign civilizing power has the control of the nation's destinies. The ruling authorities in this case have to keep jealous watch that their policy is regulated not by the interests of the foreign race that is permitted to rule over backward countries, but by a due and scrupulous consideration of the interests of the people committed to their charge.

In its commercial policy, as well as in its action in carrying out material improvements, the State in this case acts only as the representative of the united strength of the community, and is bound to see that its conduct is not dominated by influences adverse to the national welfare. If it adopts Free-Trade principles to regulate its commercial relations with foreign countries, it must be from a conscientious regard to the

good of the people whose trustee it is, and never for the sake of the foreigners. So, also, with respect to industrial improvements it undertakes, it is bound to see that such works shall not pass into adverse possession, to the permanent injury of the nation's interests. It is bound to keep in its own hands both the management of, and the proprietary interest in, such works, till it can hand over either or both to the nation itself. A foreign government stands in especial need of greater firmness and caution in this respect, lest the foreigner should seek to deflect or distort its action for his own selfish ends. In countries like India, so situated as to require vigorous state-interference, the field of industrial improvement, unoccupied and available for enterprise, must be almost unlimited and varied: and when the state, commanding superior resources, steps in only because the nation is not prepared to take it up for itself, it must never forget that it steps in only as the nation's representative, and is justified in holding it, only as a sacred national trust. The field itself, whether occupied or not, belongs to the nation itself, and to no-body else under the sun. It is a national possession, or rather a national heritage in which the present generation has only a life interest; and no government, whether native or foreign, has a moral right, with or without the consent of the present generation, to alienate it or any part of it to the foreigner by mortgage or sale or gift. It cannot obviously do so without sacrificing the permanent interests of the nation. Even if the present generation does not perceptibly suffer by such a transfer of the industrial field to alien hands, posterity must suffer and grievously too. Coming generations will find the field occupied by alien enterprise and will be virtually *expatriated* in their own home. Every consideration, therefore, of prudence and justice alike dictate that the action of Government, in such circumstances, shall be thoroughly national in its aims, purposes, and principles of execution. It might employ foreign talent for the

prosecution of such works; it might borrow foreign capital for the purpose. But it is on no grounds justified in bringing the foreigner with his talent and capital into the country, and suffering him to appropriate permanently the national field of improvement, to the exclusion of the native element, and forming the nucleus of a domineering foreign aristocracy in the land with purposes and interests adverse to those of the nation;—a result which cannot but be regarded as at once a serious political danger, and a great economic evil. Further, the whole economic action of the state must be so shaped, in all circumstances, as to gradually pave the way for an eventual transfer of the work of carrying out material improvement to the people themselves, for whose sake it is undertaken only temporarily at a certain stage of their progress. For its own relief, if for no other purpose, the state should seek to train the nation to the task by admitting it to a gradually increasing share in the management of such works of public improvement. Such a preparation of the nation for occupying the field for itself is in a sense a necessity. It is not possible for any Government, however strong and active, to keep its hands for ever burdened with so onerous a function, assumed in addition to its own proper work, which must every day grow more complicated and difficult, without serious inconvenience, or continue discharging it for all time with any fair amount of efficiency. Nor, again, is it just on higher grounds of political ethics, to keep the nation in a condition of perpetual pupillage by a permanent monopoly of the work which is peculiarly its own, and which it has a right to manage for itself, independently; or to disable and disqualify it by enforced in-action under an exclusive system of foreign management. Such a course would not only be inequitable, but fatal and suicidal.

Now if this conception of what ought to be the aim, the objects, and the principles of the economic action of the State be not incorrect, it furnishes a

stand-point from which to examine the whole economic policy of the Government of India, and a criterion by which to judge of the results of its Public Works administration which is but a branch of it, including of course, the effects of past Railway extension on the material progress of the country. //✓

The Public Works policy of the Government of India was first formulated by Lord Dalhousie, under whose administration the proposal of a separate Department for the promotion of Public Works undertaken on Government account, or with Government guarantee, was carried out. Lord Dalhousie's scheme of Railways embraced the whole of India, and the lines sketched out by him fulfilled the rare condition of occupying not merely the great trade routes, but what was of more consequence in his eyes, the great military roads of India. Strategic more than commercial considerations predominated in his mind, and with his usual extravagance, when a new idea laid hold of him, he gave it effect with all the force of his masterful energy. It was Lord Dalhousie's dream to strengthen the domination not only of English rule, but of English trade and commerce in India, and the permanent interests of this country were subordinated to this all-engrossing ambition. The contemporaneous rise of the school of Free Trade in England, and the great reputation which its apostles enjoyed, furnished the metaphysical ground-work for this essentially selfish and grasping policy. The value of India to the British nation was measured by the quantity of raw material which the resources of Indian agriculture enabled it to export for the feeding and maintenance of the Lancashire manufactures. India was to devote all its energies to raise the raw exports; and canals, Rail-roads and improved communications were to be pushed on at any cost to facilitate the export of raw articles and the import of English manufactures. India's own industrial needs were of comparatively no consequence. The annexation of the resources of

India was to be completed at all hazards, and at any sacrifice. These were the predominant ideas of the time, and they have not lost their hold on the minds of the rulers to this day. A splendid opportunity for fruitful State activity was thus thrown away, and abused by aggravating the naturally unfavourable conditions presented by the free contact of the two countries. So far as this result was inevitably due to natural conditions, we have no fault to find with Government. But surely it was not a legitimate exercise of the State's parental functions to help with Indian resources the one country which needed no such help, at the cost of paralyzing its great unfortunate dependency, whose salvation from its depression of ages depends upon its industrial growth in all directions. The abuse of state functions in this connection has been carried to a dangerous extent already, but even now it is not too late for a change. Now that its consequences are so fully evident, it behoves the Government to pause, and retrace its steps, and check the further growth of this evil. The extent of the mischief that has been worked already is admitted by the more keen-sighted of English statesmen, and is witnessed to by the ghastly spectacle so recently witnessed of a condition of things when six millions of people died during a single year of scanty rainfall, notwithstanding an expenditure of sixteen crores of Rupees on the part of Government, and when, as Dr. Hunter admits, one-third of the population lives from hand to mouth on a single meal a day. And yet Government professes itself to be powerless to raise its little finger to stop the drain, or divert it into less exhaustive channels. It can not undertake to subsidize native industrial growth, or stimulate local manufactures without exposing itself to the fire of Free-Trade fanatics, and the opposition of the vested foreign interests which it has created. As every-body knows, the duties on imported goods had to be removed, at a great loss to the public revenue, to satisfy the demands of Manches-

ter traders, long after these duties had ceased to be protective. The Government of India's recent attempts to stimulate local manufactures have been paralyzed by the silent opposition of these same agencies.

Speaking of protection as a possible policy, Mr. Justice Cunningham writes "In India and its rulers" at page 229, as under :—

"Some obvious means which suggest themselves for the promotion of local industries, whatever be their intrinsic merits or defects, are, from the special circumstances of India, out of the question. The powerful interest of the English manufacturers, sorely pressed by the disadvantages under which the protective tariffs of other nations place them, will assuredly at all times render it impossible for any Government permanently to permit in India any customs arrangements, which would give the Indian manufacturer an advantage over his European rival."

The chief object which the Government of India had in view, in shaping its economic policy, seems thus to have been not a normal co-ordination of industries, which is the very life-blood of a nation's material well-being, but the development of the one industry, which was most conducive not to the growth of India, but to the prosperity of the manufacturing interests, of England. Government action has been chiefly directed to help the improvement and expansion of Indian agriculture, by carrying out schemes such as irrigational canals, calculated to promote increased production, by facilitating the distribution of agricultural produce by a net work of roads and railways, but above all by securing a perfect freedom of international exchanges through the development of a commercial policy based on Free-trade principles.

The authors of this economic scheme had apparently no conception of the ulterior tendencies of a line of action based on such grievous misapprehension of the real wants of the country. When Lord Dalhousie proposed to cover the country with a net work of roads,

railways and canals, and when his successors, while pursuing the same policy, adopted the free-trade principles in all their radical thoroughness, they seem to have had no idea that their one-sided action, directed with such remarkable vigor, in favour of a single industry, which does not admit of varried and unlimited expansion so as to meet the growing wants of a growing population, and which depends for its success, less on human skill and the aid of scientific appliances, and more on causes over which man has no control, would have indirectly, at no distant date, a disastrous effect on the other industries of the nation. They evidently did not see that this radical policy would have the effect of stamping out these latter industries in an astonishingly short space of time; nor, again, had they any idea that their railways, intended to accelerate the economic advance of the country, would have, being unaccompanied by other and more useful measures, the opposite effect of drawing the nation down a fatal inclined plane to the verge of bankruptcy and ruin, and driving millions to live up to the margin of scanty subsistence, so that the mere touch of famine would carry them off by thousands.

Before proceeding to consider in detail the disastrous effects which have followed in the train of this expansion of public works expenditure, it will be of use to digress a little, and trace the history of the fiscal reforms which have been undertaken by Government during the last 40 years, and which represent the negative side of the same policy of subordinating Indian interests to the necessities of English manufacturers and traders, of which the positive side is represented by the one-sided development of public works. More than 40 years ago the internal traffic of the country, which till then had been burdened with numerous tolls and customs duties, was liberated from these restraints. The inland customs duties were abolished in Bombay in 1837, and in 1844 the town duties called Mhotarfa were repealed. This reform was carried

out in Bengal in 1836, in the North West Provinces in 1843, and in the Panjab in 1849. As a branch of the same reform, and carried out about the same time, the freedom of interportal traffic was established by the abolition of coasting duties in 1848. When the internal trade was thus liberated, the Government turned its attention to the duties on foreign trade. So far as this reform related to export duties, the action of Government was perfectly defensible. Extended foreign trade necessarily means extended employment of domestic labour. Heavy export duties on articles, of which this country did not enjoy the monopoly, diminished India's hold upon foreign markets, and even where India did possess an appearance of monopoly, such duties encouraged foreign countries to find out substitutes, and as in the case of salt-petre and indigo, such duties destroyed the export trade in these articles. Act VII of 1859 first initiated this reform by the abolition of duties on raw silk and tobacco. Act VII of 1867 gave further effect to the recommendations of the Tariff Committee in the same direction, and Act XI of 1882 abolished all export duties, except the heavy duty on rice grown in British Burmah. The beneficial effects of such legislation are nowhere better illustrated than in the expansion of our wheat trade which commenced in 1873, and in ten years has risen from 4 lacks to six times that amount, 24 lacks cwt. of wheat exported in 1882.

The abolition of export duties prepared the way for the agitation carried on by Manchester during the previous 25 years for the repeal of the import duties, which, however, it is needless to state, stood on an entirely different footing. As early as 1848, this agitation was commenced in England, but the Government of the day felt itself unable to make any concessions by reason of the heavy pressure on Indian finance caused by Lord Dalhousie's policy of annexation. The mutinies followed, and Lord Canning was also not able to give effect to Manchester views. In 1859, while the



export duties were lowered all round, the import duties were actually raised, and under instructions from Lord Stanley, 10 percent *ad valorem* duties were levied upon cotton piece goods imported, and 20 percent duties were levied upon foreign perfumery and jewellery. This was too much for Manchester patience. The agitation gained strength, and Mr. Wilson was sent out from England to guide the policy of the Indian Government in a way more consonant with the views of English merchants. Act X of 1860 abolished the duties on imported machinery, and reduced the 20 percent duty noticed above to 10 percent. The same policy was carried out by Act XI of 1862, XXVI. of 1863, XXIII. of 1864, XXV. of 1865, and XVII. of 1867, till the 10 percent duty was further lowered to  $7\frac{1}{2}$ , and in the case of cotton goods, to 5 percent. In 1879, these duties were still further reduced, and in 1882, all duties on imports were abolished. When it is remembered that even in England, the home of Free Trade legislation, heavy customs duties on imports are levied to this day for revenue purposes, the revolutionary character of the changes made by successive Finance Ministers, at an estimated sacrifice of nearly 2 crores of Rupees levied as revenue chiefly from the well-to-do classes, will be easily perceived.

The true character of the change brought about by the abolition of these inland, inter-portal, and customs duties on foreign trade, and its effects upon the economic condition of the country, has now to be considered. The abolition of the inland and town duties was brought about under circumstances which necessitated the increase of the salt duty all round, to fill up the gap in the revenues. Moreover, since 1860 these same duties have been revived in the shape of Toll duties on Roads and Bridges constructed by Government, and the Municipal Octroi duties. These two classes of imposts, being substituted for the old duties, have in a sense minimised the relief which Government originally intended to afford to internal

trade. As a question of principle, it may be fairly urged that the original policy of Government in this connection was adopted without due allowance being made for the circumstances of this country. Each large province in India raises all the food and raw produce it requires for domestic consumption, and stands in little need of raw imports from its neighbouring provinces. What little is required in this way is supplied by foreign trade, and these foreign imports mostly meet the wants of the well-to-do classes. Internal traffic therefore may well be regarded as a continuation of the international traffic, and as such its liberation from inland duties has only helped the foreign trader, and has not stimulated inter-provincial exchange in indigenous products. In regard to the abolition of duties on foreign trade, we think it was Sir John Strachey who observed that "there is no country in the world in which the fullest application of the principles of Free-Trade is more desirable than it is in India, and that from its poverty, the primitive and monotonous condition of its industries, and the peculiar character of its political condition, India requires from its Government before all things the most economical treatment of its resources, and therefore the greatest possible freedom of foreign exchange." This official opinion was concurred in by Sir Evelyn Baring, the successor of Sir John Strachey, and in fact it represents the orthodox view of nearly all the Finance Ministers who have shaped our fiscal system during the past twenty-five years.

Notwithstanding this concurrence of opinion, we take leave to doubt whether these measures have really benefited the country in the way intended by their promoters. In the first place, the total remission of these import duties involved the surrender of nearly two crores of revenue, contributed mostly by the well-to-do classes, and the subjects of Native States, who are the largest consumers of the foreign imports.

India in its present circumstances could ill-afford this large sacrifice, and, as a matter of fact, Government has been obliged to resort to fresh taxation in the shape of the famine insurance fund. Even if it be admitted that India could afford this sacrifice, these duties ought to have been preserved as a financial reserve, and relief ought to have been afforded by still further lowering the pressure of the salt tax, and the stamp duties, or the export duties on rice. It was his perception of the true nature of these import duties which led Lord Northbrook, from a rare sense of duty, and a generous solicitude for the true welfare of this country, to resist English pressure, and resign his post rather than be a party to such a surrender.

Secondly in the interest of India's material development, the abolition of these duties has worked mischief in that it has exposed to the unrestricted competition of the world the rude and undeveloped industries of the country. These duties were not, as in England, levied upon raw products, but upon finished articles such as cotton, silk and woollen manufactured goods, and wrought metal. These imported articles were all of them machine-made, and necessarily displaced the hand-made products of native skill. This displacement was to a certain extent inevitable, but Government, as the protector of national Indian interests, should not have gone out of its way to stimulate this process of the violent disintegration of important industries in this country. It was its duty so to stimulate the organization of native capital as to bring about this displacement in the natural course of things by the substitution of organized native agency in place of the rude and single workers in hand labour. This it could easily have done without any dereliction of its other duties. By encouraging technical education, by continuing protective duties upon all articles in which the foreign manufacturer competed with the native producer, by allowing subventions for a few years to intelligent organized efforts of native capitalists to establish ne

industries, Government would have enabled the manufacturers of India to retain their hold on the local markets. This displacement of domestic manufactures means the throwing out of employment of a large number of skilled artisans whose occupation was gone, and who have been thereby forced to compete with the poorly paid agricultural labourers. It further involves the destruction of co-ordinate and independent industries, which in all self-dependant communities, constitutes the very life of varied and well-balanced national economy.

Nothing in our opinion is more fallacious than to suppose that an increase in the import trade of finished articles implies the development of national prosperity. Every increase in the import of raw materials to be manufactured in the country, which is the characteristic feature of British trade, does imply the creation and prosperity of national industrial life. The reverse operation in India constitutes a serious and growing danger, which threatens to those who can read the signs of the times its economical and industrial death. Large numerical totals blind men to the true character of this operation. People point out with pride to the fact that, in the course of fifty years, the imports have risen from six to sixty crores of Rupees. To enable our readers to understand the true character of these figures, we append below a table showing the growth in the import of manufactured goods during the last 25 years.

Articles.	1859 60.	1870 71.	1881-82.
Woollen goods.	358,557. £,	582,339. £,	1,276,263. £,
Cotton goods.	11,698,928.	19,044,869.	24,000,237.
Metal. ....	454,457.	850,319.	2,772,178.
Sugar. ....	220,270.	555,801.	1,243,758.
Umbrellas. ...	136,670.	Not available.	209,572.

These figures show what displacement has occurred in the consumption of the chief manufactured goods of home production. It cannot be maintained for one moment that India did not clothe itself in cotton or other fabrics in times past. As a matter of fact, India did not only clothe itself, but even so late as the first quarter of this century, it exported its fine muslins to Europe in large quantities, and even to this day the raw material of cotton and wool is exported in larger quantities than the imported goods. Those optimists, who infer the growing prosperity of India from the expansion of its foreign trade, forget that this expansion means only so much displacement of indigenous manufactures, a consideration which greatly detracts from the value of this trade from the Indian point of view. Mr. Seymour Keay has in his second article on the "Spoliation of India" estimated that the extent of this displacement is measured by no less a sum than 27,50,00000 Rs. the value of the imports of cotton and other goods, and 12,50,00000 Rs. of metals and other articles. To the extent therefore of nearly eighty per cent of the full value of imports, and a corresponding amount of the exports, the foreign trade of India does not represent the creation of a new and effective demand, but is merely the substitution of foreign for home manufactures, and the destruction of the co-ordination of industries so essential to national well-being. A little judicious protection to local manufactures, and a little encouragement in the way of technical education, would have easily enabled India to displace its rude hand-made goods by improved machine-made articles.

When such protection was for a time enforced upon an unwilling Government by its financial necessities, Indian capital organised itself, and put forth its energies in the manufacture of cotton and other goods. In 1882 there were 62 cotton Mills, and many times the number of cotton presses and gins, 3 silk manufacturies, 14 tanneries, 14 Iron and brass

foundries, 12 sugar refineries, 4 soap companies, 4 paper mills, 63 collieries, and a large number of jute companies in Bengal. This infant development needed all the care the Government could bestow, and such care would have rewarded it manifold for any sacrifice of present revenue it might have been called on to make on this account. It does not speak well of the benefits conferred by such a rule as that with which India has been blessed for more than a century past, that even where native capitalists have embarked their capital in such enterprises, they are not able to command native skill of management, but find it necessary to import foreign talent and skill. With a partial exception in Bombay, these new industries are all managed throughout by European skill, thus giving the foreigners a monopoly of the advantages reaped, over and above their natural monopoly as shippers, and carriers and insurers. Even in those departments of money dealings where the native has a natural claim to succeed, European enterprise has driven out native talent. We refer here to the banking enterprise of the country. As many as 323 banking companies have been established in this country since 1861, and 140 of these establishments are in active operation to this day. All these are managed by Europeans, though their dealings are for the most part with native customers, and their funds are derived to a large extent from native depositors. The extent of the success of these companies measures the displacement of native capital and organising skill from this most lucrative business, which, be it remembered, requires no machinery or steam power to set it in motion.

In short, the extension of the import trade in foreign finished manufactures, which has been the aim of successive Governments in India, has thrown out of profitable employ native skilled labour, and displaced native organising talent, from a variety of occupations in which 50 years ago there was no competition, and

the once thriving industrial classes have been reduced to a dead level of precarious and subordinate existence, dependent upon the resources of inferior service, or the least remunerative agriculture.

In the face of these results, it is the duty of Indian statesmen to consider whether it is safe or just to allow such a state of things to continue to the permanent paralysis of Indian industry, and whether the State, which has taken upon itself the direction of national activity, should not take precautionary measures to prevent such a lamentable collapse, by putting new life and vigour into the decaying system. Already the Famine Commissioners have estimated that more than 80 percent of the population is agricultural. Such a result is the legitimate out-come of the disappearance of diversity in employment caused by the pressure of unrestricted European competition. If the abolition of foreign customs duties had really benefitted the nation at large, and created and enlarged the effective demand of foreign imports for domestic consumption, such a circumstance might have furnished an argument in favour of the policy pursued by Government. As a matter of fact, however, the difference between imports and exports has gone on increasing from seven crores to twenty-three crores in 50 years. Fifty years ago, the imports were 7 crores, and the exports 13 crores, while the corresponding figures for 1882 are 60 crores and 83 crores respectively. This excess of 23 crores of exports brings no commercial return. The whole value of the annual production of India has been estimated by the Famine Commissioners at 350 crores of rupees. On the most favourable estimate, the profits on this total production at 12 percent should be about 40 crores, the rest of the capital can only replace itself from year to year. In other words, more than half the net profits of national production are thus absorbed by the excess of exports, for which there is admittedly no commercial equivalent return. This increase in the exports is thus

not a voluntary operation, but has been forced on by increased foreign expenditure, interest on foreign loans, and increased remittances. We have thus, over and above the displacement of varied industry, an increased drain on national resources brought on by direct state action in the financial and industrial management of the country.

We are prepared to admit that to a great extent these results were inevitable in the circumstances in which this country has been placed. Even if the Government had not helped this disintegrating process, British merchants and British manufacturers would have asserted their predominance, and eventually monopolised the field afforded by the consumption of 250 millions of the inhabitants of this country. But unassisted by Government, the process of displacement would have been more natural, if not slower, and the drain on our resources more gradual, so as to allow a much longer breathing-time to the nation to collect its strength, and stand up in the fight. Our complaint is that in manipulating its customs tariffs, Government has gone out of its way to strengthen the strong, and burden the weak rival. By abolishing import duties, it has helped foreign trade, and as this help could not be continued without a sacrifice of revenue which it could ill afford to make the state has imposed direct taxation to fill up the deficit. The salt duties were increased enormously when inland duties were first abolished, and latterly we have had the land assesment, the stamp revenue, the excise duties, the licence tax, and other direct imposts increased, or levied a-new to make both ends meet. This substitution of direct for indirect burdens has only relieved foreign traders at the expense of the nation, and to this extent Government has given a bounty to the foreign merchant, and sacrificed the interests of the domestic producer.

As if this negative action was not enough, Government has in its Public Works policy gone further in the way of positively subsidising the foreign carrier



producer, and importing merchant, by undertaking to facilitate the transport of goods by the construction of guaranteed or state railways. Lord Dalhousie's scheme of Railways was, as we have observed above, intended chiefly for strategic and military purposes, but the lines sketched out by him were also good commercial lines, running parallel as they did to the great trade routes and trunk roads of the country. So far as these lines were dictated by political and military necessities, they do not fall within the scope of our present observations. They had to be constructed at any cost, and constructed they were at a frightfully heavy cost. We have to consider the policy of Railway extension in its commercial and industrial bearings, and viewed in this light, the policy of the Government of India must be judged by severer standards than those which find favour with official apologists. The comparison with American enterprise in this connection is for obvious reasons not to the point. We can urge no objection to Railway expansion if it is developed, as in America, by independent private effort. Even to this day all experiments to float Railway projects on the American plan in India have, notwithstanding the liberal encouragement which Lord Ripon and Sir Evelyn Baring were prepared to offer, failed to induce private English capitalists to undertake Railway extension unaided by material guarantees from Government. Only one line in the Lower Provinces of Bengal has been so taken up, all the other companies have stipulated for a fixed guarantee, either for a short number of years, or for long terms. The only advance we have made is that, instead of this guarantee being as high as five percent allowed by Lord Dalhousie's Government, the Government of India can at present secure the co-operation of private companies with a  $3\frac{1}{2}$  or 4 per cent guarantee, and a share in the profits. It is useless to recall the past mistakes, but now that, with the sanction of the Parliamentary Railway Committee, the Government of India is

being urged on by English capitalists and iron-masters to embark on the same lines in fresh enterprises without any limit to the annual expenditure, it behoves those who fully realize some of the mischiefs which have already resulted, and which threaten to be greatly aggravated in the future, to discuss calmly the principles on which this one-sided development is advocated, and to take stock of the probable economical results of further persistence in this course. We do not hope that any thing we can urge against the current *doctrinaire* views which find favour with Government can lead to any immediate result, but none the less do we feel it to be our duty to give expression to native public opinion on this important question. Already Mr. Slagg has raised his warning voice, and the Under Secretary of State has also in his place in Parliament, given utterance to a feeling of responsibility, which can not but act as a brake on the forward policy. Independent thinkers like Mr. Connell have also anticipated the views of native publicists, and it may well be hoped that, if the people of this country would make their voice heard in Parliament, a great deal of the mischief apprehended may yet be averted. The question before us is not whether more Railways should be built or not. It is rather whether the State should, more freely than before, and at the risk of unduly burdening Indian resources, undertake to subsidize foreign capitalists with a view to secure five thousand miles of new Railways within the next five or six years. This question can not be properly answered without giving a thought to the economical and financial results of past state action in this connection.

Colonel Stanton's Report on Indian Railways for the year 1882-1883 gives the following particulars in regard to the existing system of railways. Including the East Indian Railway, which has been recently purchased by Government from the Company which constructed and worked it for 25 years, the guaranteed railway lines, extending over 6204 miles, have cost

in original construction and repairs nearly 106½ Millions of pounds, or nearly 17000 £ per mile. The interest on the capital advanced is nearly 5 Millions of pounds. The net traffic receipts, after deducting the expenses of management, come to about 5,650,000 £. The excess of net receipts over the interest charge is thus, taking all the guaranteed lines together, about 650,000 £. Some of these lines have paid surplus profits since 1877-78, but considered in their financial bearings as burdens on the state's resources, this small surplus of 650,000 £ on an expenditure exceeding 100,000,000 £ can hardly be considered as very satisfactory. Excluding the East Indian Railway, which is no longer a guaranteed line, the net traffic receipts of guaranteed railways still fall short of the interest charge which Government has to pay, to the extent of 231,000 £. For the whole period of 25 years, the arrears of interest paid by Government to the guaranteed companies have reached a total of 32½ millions. This sum must be added to the account of capital expenditure, and would, when so added, raise that amount to nearly 140 millions of pounds. The value of the land which the state gave free of charge to the companies is not included in the capital account. So also the loss by exchange incurred by Government, in consequence of the interest amounts being made payable in gold to English holders of Railway stock, has not been included. Making these additions, the capital account of expenditure comes to nearly 150 millions of pounds; and calculating interest on this sum, the net receipts fall short of the interest charge by more than two millions of pounds.

The next class of railway lines are those undertaken by the state on its own account from borrowed funds, or, as in the case of frontier railways, from advances made out of current revenue. About 3000 Miles of state railways have been thus opened for traffic at an expenditure of more than 35½ Millions of pounds. The interest charge on this sum exceeds the net traffic

receipts by nearly 760,000 £. These state lines are mostly on the narrow guage, and the charge of construction per mile is 9000 £, or nearly one-half the charge of the broad guage guaranteed lines. As in the case of guaranteed lines, the arrears of interest paid on borrowed capital exceed more than  $4\frac{1}{2}$  Millions. If this charge were included in the capital expenditure, and the value of the land taken up, and the loss by exchange, be added, the total would be nearly 45 Millions, and the net loss to the state, represented by the excess of interest over the receipts, would nearly be 1,000,000 £. Taking the guaranteed and state lines together, we have thus an expenditure of 142 Millions upon nearly 10,000 miles of railways, and during the last 30 years Government has, besides the land given free of charge, and the loss by exchange, paid 38 Millions for arrears of interest.

These figures take no account of the lines constructed by Native states, as also of the so-called protective lines constructed out of the famine insurance fund. It will be seen from these details that the railway policy of Government has not resulted in financial advantage to the Indian Government. This consideration should have great weight at the present time when Government proposes to spend 30 Millions more in the next few years upon 5,000 miles of new railways. So far as the lines hitherto constructed were dictated by military or political considerations, the question of their financial solvency or otherwise is one only of secondary importance. But now that this policy is about to be still further developed, this question of commercial and financial success cannot be so lightly disposed of. The economical results of the railways undertaken by Government, when fairly considered, do not appear to us to justify any further indifference to the considerations which hitherto have been kept in the back-ground by higher needs. Looking at the matter from the Indian tax-payer's point of view, it is clear, from the figures given above, that the

Government of India has, during the past 30 years, spent nearly 40 millions of rupees in paying excess interest upon the capital advanced, besides another forty millions sunk by it in the state lines, built out of money borrowed, or saved from the revenues. Looking only at the payment of arrears of interest, it follows that Government has paid every year between one and two millions of pounds as subsidy to help the foreign trade of the country. Although this payment was not made directly to the British exporter or manufacturer as a bounty to encourage the shipment of foreign manufactured goods to India, it had the same effect as a direct bounty in the displacement of indigenous trade and manufactures. Contemporaneously with the development of railways at public expense, the foreign trade of the country has increased by enormous strides. For instance, Cheshire salt has penetrated far into the interior in its competition with the indigenous article, with every considerable advance in the system of railways. In the same manner, Lancashire manufacturers have been enabled to find increasing custom for their cotton goods, with the result of extinguishing Native manufactures, as the railways have penetrated into the heart of India in all directions. If the railways had been built by private enterprise, unassisted by public funds, or even if they could now be so built without any such charge on the revenues, no reasonable objection could be urged against the effects of this foreign competition. As a matter of fact, however, they have not been so built in the past, nor is there any near prospect of their being built independently in the future. India is thus asked to make room for the foreign trader by paying him or his countrymen a bounty to facilitate his competition with the native producer, and to give him land free of cost, and to arrange that the interest payments shall be punctually made in gold from year to year at any sacrifice, and finally to see with patience the native manufacturer and trader pushed out of his sphere of domestic industrial

activity. This prospect is surely not very cheerful, and while admitting that higher considerations may have justified the incurring of these risks in the past, we cannot reconcile ourselves to a further persistence in the same course. It would have been far better, if instead of paying this bounty to the foreign trader in the shape of arrears of interest payments, the Government had diverted its surplus 40 millions to set up industrial organizations on its own account, or encouraged native effort in the same direction by temporary subventions, or allowed the money to remain in the pockets of its subjects to multiply a hundred-fold in useful works. Government has in fact now faced all the risks of pioneering in railway enterprise. It has shown the way, and demonstrated that railways do pay moderately in this country. It must now look to private enterprise alone for further development, and not use its enormous resources to handicap the native producer in his unequal race with the foreigner.

Notwithstanding this financially burdensome and economically ruinous policy of the Government in this connection, the people of India would have had good reason to welcome this diversion of public funds by the State, if the vast expenditure incurred for railway construction had had the effect of training the nation by suitable arrangements for their technical education, and liberal association in the management, to take up in course of time in their own hands the new sphere of industrial activity represented by railway enterprise. Unfortunately for this country, this educational aim was not at all regarded either in the scheme of works and the mode of procedure laid down by the Government of India, or in the choice of purposes on which the money was spent. The real wants of the country were subordinated to the consideration of what was advantageous in the interests of foreign trade. The people of India needed above all things a technical training in mechanical arts and manufacturing processes, and pecuniary aid in the shape of

state subsidies in starting new enterprises. Above all, they had to be protected from the predominance of a foreign plutocracy, with vested interests opposed to those of the native producer. None of these considerations have attracted the attention of Government as they deserved. The system of public education, such as it has been set up, is mainly intended to qualify native youths for inferior service in the state departments. The scientific branches of the service are all but sealed to the natives by reason of their education not fitting them to take their natural place in mechanical and engineering enterprises. The subventions were paid to the foreigner, and in consequence of these state guarantees, a powerful foreign aristocracy of stock-holders has been created with interests adverse to the nation. It is not to the point to urge in justification of this last measure that many European countries, and America also, have borrowed the help of English capital and English agency to execute their railway works. In none of these countries, however, has the State pledged national resources, and though private companies have raised their capital in England, it was only for a temporary purpose, and already both Russia and America are buying in their own stock, and restoring the disturbed balance of national exchanges. Such a relief is not open to a poor country like India, which finds not only its private, but public, credit mortgaged irrevocably to the foreigner. The result is that, after 25 years of continuous state direction, the natives of the country are as unfitted to take up this work of railway construction or management, as ever they were when Lord Dalhousie first sanctioned the proposal of covering India with a net-work of railway lines. The railway establishments in all the higher grades are a close preserve for the foreigner, and even the lower duties of collecting or clipping tickets are entrusted to other hands than those of the natives of the country. A few native guards and drivers and fitters are all that the companies can show in the

way of training natives for higher work, and the position and status of these people are anything but comfortable. The companies can hardly be blamed when the lines owned by the State show no better example. Anglo-Indian writers like Mr. Justice Cunningham proudly boast that "the great enterprise in which 162 millions have been laid out in railways, canals, and telegraphs, has been due wholly to state i. e. foreign, intervention. It was conceived and elaborated by Government officials, and though the companies are entrusted with their management, the whole motive force throughout has been supplied by the State," which, in other words, again means the foreigner. Everything for the people, and nothing by the people, this was the maxim of the great Napoleon, and in no country in the world has it been more vigorously carried out than in India, where the foreigner does everything for the people, who look upon all that is done with rustic amazement.

A more minute consideration of the various plans adopted from time to time by the Government to give effect to the policy laid down by Lord Dalhousie may not be here out of place, especially as there is reason to apprehend that the tide of English public opinion is again, after a temporary re-action, running high in favour of guaranteeing private companies. \* The Government of Lord Dalhousie was as anxious as the present Government of India is to entrust the construction of railways to private agency. No private company however would undertake the work without important concessions. The concessions demanded at first were that the lands required should be given free of charge. The company's lease should extend to 99 years, with a power reserved of



purchasing after 25 or 50 years at the mean value of the shares for three previous years, and above all 5 percent interest should be guaranteed, and in return the surplus, if any, was to be divided equally till the payments of interest made by the Government had been recouped. After 25 years, we find that English capitalists are still as diffident as ever of risking their money in Indian railway enterprise, and all the advantage which Government has secured consists in the reduction of the guaranteed interest from 5 to 4 or  $3\frac{1}{2}$  percent. The guarantee system, it need hardly be said, is the most recklessly expensive method of encouraging foreign capitalists. Under this system, the cost of construction per mile has been about 16 or 17 thousand pounds. There was no motive for economy, as Government had to pay the bill. The power of purchasing railways before the full term of 99 years expired was, under these circumstances, of no great advantage. The power of control and supervision was also nominal. The interest of the railway companies at head-quarters has often-times proved too great even for the Government of India, which had on many occasions to solicit the London Directorates for a remission of rates, and, as in the famine crisis of 1877, this solicitation was often unsuccessful. Over and above the evils represented by this extravagance and want of control, the absence of unity in management was felt by Government to be a serious hindrance in the success of its military operations, especially on the frontiers of India. These considerations created a reaction in 1870 in favour of state agency. The net results of the work done from 1853 to 1870 by the guaranteed Railway Companies will be seen from the following statement.

Name of Railway.	Length open in 1870.	No. of pas- sengers, con- veyed.	Goods traffic. (tons)	Gross re- ceipts. (£)	Net earnings. (£)	Capital out- lay at close of 1870. (£)
East Indian.	1354	5,351,329	1,240,104	2,753,982	1,549,627	30,141,971
Eastern Bengal.	112	1,324,907	191,169	178,092	78,905	2,747,100
Oude and Rohilkhand.	49	854,292	27,337	24,583	6,978	1,431,404
Scinde, Panjab, Delhi.	647	1,971,409	280,780	520,455	123,790	9,996,311
Madras.	711	2,105,566	844,119	493,213	233,520	9,455,866
South Indian.	186	863,527	74,284	74,480	278,107	1,565,050
Great Indian Peninsula.	116.1	3,326,021	972,579	1,659,847	627,317	21,200,920
Bombay, Baroda and Central India.	312	2,555,848	261,500	493,098	164,572	7,895,926
	Miles.	No.	tons	(£)	(£)	(£)
Total.	4,525	17,853,902	33,919,320	6,197,800	2,842,576	83,910,587

The net charge in 1870 to the State on account of the guaranteed lines was, (including about 300,000 £. representing the loss by exchange and the value of land), nearly two millions. The development of the foreign trade of the country due to the facilities afforded by railways was as follows:—

Year.	Imports.		Exports.		Total.
	Merchandise.	Treasure.	Merchandise.	Treasure.	
1852-53	£ 10,070,862	£ 6,831,378	£ 20,464,633	£ 1,055,230	£ 38,322,103
1869-70	32,927,520	13,954,807	52,471,376	1,042,353	100,396,056

From these figures it will be seen that the new railways had a most important effect on the volume of foreign trade. When it is remembered that the guaranteed railways were foreign monopolies, subsidised by the state for years together to the extent of nearly 2,000,000 sterling, it will be at once admitted that the remarks we have made above in regard to the protection afforded by the state to foreign enterprise are amply borne out by these results.

As stated above, the evils of the guarantee system led Lord Lawrence, on the eve of his retirement from office in 1868, to suggest the expediency of substituting direct state agency in the development of state railways, and on the strength of this recommendation, a change of policy was brought about between 1868-70. From this year, and for ten years after, the state borrowed on its own credit vast sums for Railway construction. This plan of direct state construction was in some respects a decided improvement upon the guarantee system. It is true Government had to pay interest to its creditors in England, but the rate of this interest was never so high as five percent. Moreover, the management remained in the hands of a state organisation, which secured a complete unity of purpose, and

greater responsibility to local opinion. Lastly, the surplus profits, if any, belonged to the public treasury, instead of being shared, as under the guarantee system, with private companies. Above all, no powerful foreign vested interests were created adverse to the interests of the people. Against these advantages, the usual drawbacks of departmental action, and control by a central Bureau, were found to entail considerable disadvantages. There was but little direct incentive to saving or economy, while uniformity and mechanical supervision ensured less efficiency in management, and the works taken up were too often interrupted or starved for want of funds, and diverted else-where by a change of policy or management. The inconveniences attendant upon this system of centralized state action could only be properly remedied by decentralising Railway management, and handing over to the different provincial and local authorities the power of initiation and management, and thereby interesting local knowledge and enterprise. Some steps in this direction have been recently taken, but as yet no definite change of policy has been inaugurated. The plan followed in America of assigning a certain proportion of the cost of new Railways to the town communities, and allotting unowned town-lands as security for this payment, is not feasible in this country, where unowned waste-lands do not exist, but some modification of the American system may be adopted here with advantage by interesting local district boards in the construction of small sections, and by encouraging them to make arrangements with the state to share a portion of the cost, and charge the payment of interest on Local-rates, and in return participate with the state in the net receipts. In the absence of such a provision, lines of state construction are less cheap and efficient than guaranteed Railways, while state agency is equally open to the objection that it is not attended by the educational advantage of training the people to take direct interest in Railway undertakings.

As the net results of Railways undertaken by the State between 1869-79, we find that in all fifty-four lines were commenced, chiefly as branch feeders to the guaranteed Railways of the previous *regime*. Against the 260 miles costing five millions a year in construction, which was the annual rate of development under the guarantee system, we had only 218 miles a year, constructed by the expenditure of two or three millions of borrowed capital. These State-lines were mostly on the narrow gauge, and the cost of construction per mile was about half the average cost under the guarantee system. In all about 24 crores of Rupees were spent in ten years on the construction of 2118 miles.

After 1879, there was again a re-action in favour of the guarantee system in a modified form. It was found that the powers of the state to borrow large sums for so-called productive public works were practically limited, and the choice of particular works was not always a happy one. Moreover, the pressure of the famine crisis of 1876-77 diverted all the available resources of the state to famine relief, and the increasing loss by exchange compelled Government to restrict its annual expenditure within two or two and a half millions sterling a year. To supplement the state resources, new taxation had to be imposed in the nature of a famine insurance fund. The Government, under these circumstances, found it necessary to limit its direct agency to protective lines, intended to provide for famine areas. All other lines had to be left to the initiation of private companies, whose assistance was secured upon more favourable terms. The new Deccan Railways, as also one or two lines in eastern Bengal, are the outcome of this modified guarantee system.

In all, under the three different systems we have noticed above, ten thousand three hundred miles of Railway have been constructed throughout India by an expenditure of 145 crores of Rupees, and the net earnings on these lines exceed at present 7 crores, after deduct-

ing maintenance and working charges. About 40 crores have been paid as arrears of interest during the same period, and adding this amount to the capital expenditure, the proportion of net profits is about four percent. The Railways give employment to about 141,000 natives in the subordinate service, and to about six thousand Europeans and Eurasians in the higher grades. The influence of the Railway development on foreign trade during the past thirty years will be seen from the following statement.

Years.	Imports. £,	Exports. £,	Excess of export.
1853.	16 Millions.	21 Millions.	5 Millions.
1881.	60 Millions.	83 Millions.	23 Millions.

From these figures it will clearly appear that, while the total volume of foreign trade has increased four-fold, the excess of exports over imports, instead of showing a proportionate decrease, has increased nearly five-fold. It is this excess which represents the indebtedness of the country, and the measure of the tribute paid to the foreign capitalists. The Railway interest represents in fact a vast monopoly in the hands of foreigners. While their services in facilitating transport, and preventing distress in times of famine, must be frankly accepted as great gains, it cannot at the same time be denied that the parties most benefited are those interested in the foreign trade of the country. This expansion of foreign trade has been a very questionable advantage, as it has disturbed in an abnormal manner the national system of economy and industry. What was wanted in the interests of the nation was that, simultaneously with these facilities of transport, the state should have provided proper economic conditions of varied industrial life in the country, which alone would have enabled it to turn this advantage to national

account. In the absence of such a provision, this one-sided development has had the effect of paralyzing national activity at its centre.

Industrial progress after all essentially rests on the basis of increased production much more than on that of increased facilities for international exchange. The Government of India has, in its too exclusive devotion to Railway enterprise, lost sight of this fact. Increased foreign trade by itself affords no indication of increased domestic production. Trade only distributes produce, and does not necessarily in all cases create a new supply. The increase in the volume of the Indian trade has, as we have shown above, simply displaced national industry by withdrawing the artizan population from local industries, and forcing them to resort to agriculture as their only resource. It was no part of the Government scheme to establish a co-ordination of industries by encouraging the drooping manufactures of the country. It is true the Government has tried in a half-hearted way to encourage the development of agriculture by undertaking the construction of great irrigation works. However, its interests as the great land-lord of the country have interfered with its freedom of action, and obliged it to limit its assistance only to the negative forms of help. The magic sense of property, which turns sand into gold, can alone induce the cultivating classes freely to embark their capital in the improvement of agriculture. The Government has all along, except in Bengal, set its face against the concession of permanent rights in the land to the cultivating classes. It is hardly to be wondered at therefore that the Rayat, tilling his land under a system of tenure so insecure, can not fairly be expected to help himself, or improve the soil. This insecurity of tenure is probably the chief cause of the stagnation of agricultural industry in India. The Government has, it is true, spent large sums in irrigation works, but they are like drops in the ocean of sun-parched land, many million

acres of which lie beyond the reach of canal irrigation, and are exposed to constant risks of drought, which might be prevented if they were adequately supplied with wells. Well irrigation constitutes in fact the solution of the agricultural problem. Wells can only be provided by the people themselves, and these they will not be induced to dig unless their enterprise is secured by the concession of a permanent settlement.

Government however, until very recently, would give no such assurance, and confined its direct help only to the construction of large irrigation works. The first work so taken up in hand was the canal in the *Godavari* and the *Krishna* districts, with which Sir Arthur Cotton's name is so nobly associated. This work was undertaken in 1844. The *Ganges* canal was the next in order of time. It was commenced in 1848, and finished in 10 years. From this time, on the precedent of the guaranteed Railways, the work of constructing canals was entrusted to guaranteed English companies. The first guaranteed company was formed in 1848, and was called the *Madras Irrigation Canal company*. The *Orissa Canal company* was also started with similar help, but it has already collapsed, and the *Madras company* also has been very unfortunate in its management. These failures induced Lord Lawrence's Government in 1864 to revert to the plan of the construction of irrigation works by state agency, with the help of borrowed funds. For the next ten or twelve years, Canal and Railway projects were thus prosecuted on the same system by direct state agency. In the course of twenty years, more than twenty crores of rupees have been spent upon irrigation works, out of which twelve and a half millions were borrowed, and the rest were provided out of current revenues. The net earnings from irrigation works were in 1880-81 one and a quarter crore of rupees, which represents a profit of 6 per cent. The total cultivated area in British India is about two hundred millions of acres. About one-seventh is under irrigation, and of the irrigated area about seven million acres are watered by the canals.



This represents a large proportion, although it is clear that there is still much room for extension.

This form of state activity in the promotion of the material wealth of the country has been attended with the happiest results, especially as affording protection from famine. It would certainly have been more appropriate if the Chambers of Commerce in Bombay and Calcutta had raised the cry for more canals instead of more and more Railways, which has been the burden of their recommendations for the past few years. If more money is to be borrowed for public works, the canals have a prior claim upon the State's resources over Railways. The Famine Commissioners in their report have also stated that, as protective works, the first place must unquestionably be assigned to irrigation canals.

On the whole, as far as this form of state intervention is concerned, there is little ground for complaint, except that other and more important measures ought to have accompanied it, with a view to develop the manufacturing activity of the country. The Government have indeed adopted measures to start new forms of agricultural enterprise, represented by the cultivation of cinchona, tea, coffee, tobacco, and sericulture. The plan hitherto adopted by Government has been to start the enterprise on its own responsibility, and when its success was secured, to hand it over to foreign adventurers. The State has further parted with its rights in the soil by selling its waste lands outright for nominal prices, and creating free-hold estates in favour of the planter class, while steadily refusing to grant the same boon to the native population. The Famine Commissioners in their report state that they regard these foreign investments and settlements as likely to be of great benefit to the country, and that they will provide new occupation to the labouring classes. We fully endorse this sentiment, except that we object to the arrangement by which these industries and immense areas of virgin

soil are permanently transferred into the hands of the foreigners. The planter community represents the germs of a foreign landed aristocracy of the worst sort, for the planters do not settle permanently in the country, but combine in their person all the evils of alien domination, and are at once rackrenting stewards and absentee land-lords.

With all due deference therefore to their views, we join issue on this point with the Famine Commissioners, and think it our duty strongly to protest against this transfer of the State rights to the planter class as simply ruinous to the nation, whose interests it is the bounden duty of Government to guard and promote. If such new industries are in the first instance started by the application of national resources, we submit that it is but just that they should be handed over eventually to the natives of the country, or should be, if that course was deemed impracticable for a time, reserved in the hands of the state as a sacred trust for future transfer in due course to the nation, but, in no case, should they be given over to the foreigner, who has done nothing to help their growth, or run no risk with respect to them, and has therefore no moral right whatever to get possession of them. Such a transfer of state-created industries to foreign hands is not only an act of injustice to the nation, at whose expence they have been helped into growth, but, taken along with the free transfer of land, is a very high-handed spoliation of the nation's most secure wealth. The foreign capitalist should be at least made to pay the market price when he buys over the concerns, and he should be required to recoup and return to the state, and through the state to the nation, the whole cost of the experiment up to date. When this is not done, he virtually gets free of charge the monopoly of a national field of investment, which it is not in the interests of the children of the soil that he should be thus suffered to get. It is indeed true,—and we fully admit the fact,—that these foreign investments give

employment to native labor, and that foreign capital laid out in the country is so much an addition to the wages fund,—the effect of which is either to increase the rate of wages, or to provide food and work to an increasing labor-population, which multiplies under the stimulus. This latter effect alone is apparent in India, for the rate of wages shows as yet no sign of substantial increase, and what slight increase in the money rate of wages is perceptible is scarcely proportioned to the rise of prices, and to the fall in the value of money. Apart from this consideration, we put it to the defenders of this policy, whether it is a sufficient return for all this state expenditure that a scanty employment should be provided for native labor. Should we be satisfied with such a result? Is it not at the same time just and necessary that the whole of the profits of these national fields of investment should belong to the nation, either to be occupied, if possible, by the present generation or left open for occupation to coming generations? It is not of course to the import of foreign capital into the country that we object,—we on the contrary heartily welcome its most unrestricted import,—but what we earnestly protest against in the name of national justice, is the action of the state in encouraging and directly bribing the growth of foreign enterprise in the country at national expense by concessions which it refuses to make in favour of indigenous production.

The number of such foreign monopolies in the country is already large, and is on the increase. There is first the guaranteed *railway* monopoly, representing the formidable investment with guaranteed interest of over 150 millions sterling; then comes the *banking* monopoly with its 140 working joint-stock companies, having a paid-up capital of several crores; and next we have the smaller, but by no means less profitable, investments in tea, jute, indigo, and other concerns. Add to these the *shipping* and *mercantile* interests which together control the sea-borne trade of the country,

and we have a total sum of 300 crores of Rupees invested in monopolies created at national expense, and charged on national resources.

After all, foreign monopolies represent so many anti-national interests, and we strongly hold that the growth of such interests in the country, with guaranteed profits, is undesirable both on economical and political grounds. Economically, such a growth intensifies the evils represented by the foreign occupation of so much of the total national field of investment, which belongs by every moral right to the nation, and to none else. It amounts in fact to a virtual reduction of the natural heritage and provision for the varied wants of posterity, if not of the present generation. And if it is not intended to convert the whole nation, or the majority of it, into a dead-level mass of laborers, hewers of wood and drawers of water, looking to the foreign monopolists to give them food and work, it argues, we think, on the part of Government, a very narrow view of state responsibilities in a country like India, to permit or assist by direct interference such a result. Politically again, it seems to us that such a growth of foreign interests in the country is a source of grave future danger. It would, no doubt, appear to short-sighted politicians, who are easily misled by false historical parallels, to be a distinct political advantage, highly conducive to the stability and strength of British rule in India: for such interests, in this view, would be so many garrisons in the country to defend the British flag in the manner of the Roman *coloni*. But it must not be forgotten that these foreign interests represent a strong foreign party in the country, who, themselves irresponsible for the peace and order of it, will ever seek to dominate and distort the action of the responsible Government, with a view to promote their own selfish purposes. John Stuart Mill was right in thinking that, in a dependency like India, it was the foreign adventurer who must ever be a source of trouble to the Government, and one which would be always

difficult to deal with. Lord Lawrence feared the same danger, and in Lord Ripon's time we have seen this calamity realized in all its potency.

State intervention, however, in this direction is as yet limited, and we earnestly hope that before the evil gets past cure, the grievous blunder will be rectified.

Here we conclude this hurried review of the economic policy of the Government of India. As regards the policy itself, it will be clear, we trust, from the foregoing review :—

(1) That it is based on a view of the country's wants in some respects lamentably erroneous, in others only partially correct.

(2) That it is dominated by the influence of free-trade doctrines, which do not apply in all their thoroughness to the economic conditions of India.

(3) That the basis of state action is not sufficiently comprehensive, being restricted solely to the promotion of foreign trade.

(4) That its economical results have been very detrimental to the varied growth of the nation's industrial activity.

(5) That a new departure is necessary, on lines which a truer and more statesmanlike appreciation of the wants of the nation would seem to suggest. This new departure must minimize the tendency to create foreign monopolies, must encourage agriculture by conferring rights of property in land, and above all, by the spread of technical education, and by the help of judicious subventions, train the nation to resume its old place as the home of arts and manufactures.

# INFANT MARRIAGE STATISTICS AND PREVENTIVE REMEDIES.

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## I.

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A good deal of discussion has been raised upon this subject by the publication of an interesting Note by Mr. Behramji M. Malabari of the *Indian Spectator*, and of the replies addressed to M. Malabari by some influential members of the Government of India, as also by some Native gentlemen of position and influence. A large number of the Anglo-Indian and Native newspapers have also given expression to their views on these subjects from their various stand-points of view. One common feature of these *ex cathedra* utterances has certainly surprised us, we refer to the complete ascendancy of sentiment and feeling, and the utter ignoring of all the available sources of accurate and scientific information as a basis of positive or negative conclusions. We propose in the sequel to test the accuracy and sobriety of these conflicting, and oftentimes one-sided, views by the light of facts and figures; for we feel that we have certainly now left far behind that stage when sensational writing, regardless of facts and figures, is deemed necessary and justifiable for the purpose of forcibly directing public attention to any given subject. Accordingly we shall at once proceed to the proposed examination. At the outset, we think it but fair to Mr. Malabari to state that he has done a great service in publishing his notes, and challenging a healthy discussion of large social problems. We should at the same time certainly have been better satisfied if Mr. Malabari had avoided all appeal to sentiment, and contented himself with setting forth an unvarnished statement of facts. Exaggerated and inaccurate notions as regards the extent and character of

the practice of Infant Marriage amongst the Hindu community appear to prevail very largely in many quarters. Things are bad enough as they are, but any hysterical excesses of denunciation, not called for by the actual circumstances of the case, will only alienate public feeling. Those, who anxiously desire to see these evil customs entirely die out, must take a due note of their real extent and nature, and then earnestly apply themselves to devise adequate remedies. Mr. Malabari, like several others for whom his excuse cannot be urged, appears to be under the misapprehension that this practice is very largely, and to the same extent, prevalent amongst all the different sub-divisions of the Hindu community. Nothing can be a greater mistake than to entertain such an obviously exaggerated notion. Again, Mr. Malabari appears to be under the impression that the system of infant marriage prevails very largely amongst the Brahmins especially, whereas the truth is, as we shall presently show, that the practice so far as boys are concerned, is not so prevalent amongst the Brahmins, at least not so glaringly as in the non-Brahminical sections of the Hindu community. The system in question is moreover not confined to the Hindu community only, but is more or less prevalent among the Mahomedans and other Native communities, even Parsis not excepted.

First of all then we shall refer our reader's attention to some statistical information compiled from the Bombay Census Report of 1881. The statement in question, which is given at the end of this article, has reference to the Hindu community of this Presidency, and gives for each of the six territorial divisions of this Presidency the number of single, married, widowers and widowed, boys and girls in each of the two age-periods, viz, under 10 years, and above 10 but below 14 years. It also gives the proportion of married boys and girls under 15 to the total number of boys and girls under that age. We shall briefly summarize here the instructive results to be deduced from that statement.

In Gujerath we have 14 percent of boys, and 27 percent of girls, married under 15; in Konkan 4 percent of boys, and 21 percent of girls; in the Deccan 7 percent of boys, and 26 percent of girls; in the Karnatic districts 8 percent of boys, and 33 percent of girls; in Sind 3 percent of boys, and 9 percent of girls; and in the Presidency town of Bombay 8 percent of boys, and 28 percent of girls; or for the whole Presidency 8 percent of boys, and 24 percent of girls, are married while they are under 15 years of age. Again, if we drop the second age-period ( 10 to 15 ) from our calculations altogether, we obtain the following rough percentage of boys and girls married under ten in each of the six territorial divisions:—Gujerath, boys 6 percent, girls 13 percent; Konkan, boys, 1 percent, girls 8 percent; Deccan, boys 2 percent, girls 9 percent; Karnatic boys 3 percent, girls 14 percent; Sind, boys  $\frac{2}{3}$  percent, girls 2 percent; the Presidency Town of Bombay, boys 2 percent, girls 7 percent; while the average for the whole Presidency is  $2\frac{1}{2}$  percent for boys, and  $10\frac{1}{2}$  percent for girls. This, in short, is the real extent of the evil of infant marriages complained of, if by infant marriages we understand marriages under ten years, so far as the Hindu community as a whole is concerned. The detailed information upon which the said tabular statement is based may be obtained by any one, desirous of verifying the figures for himself from Mr. Baines' Census Report of the Bombay Presidency ( Vol II pages 10 and 11 ).

It is much to be regretted that the said 'Report does not give us similar information for each of the several sections of the Hindu community. There is, however, one tabular statement in the same volume ( *Vide* pages 41—49 of the appendix C—Supplementary Returns ) which throws considerable light upon this aspect of the question. Mr. Malabari, and those who think with him, would, we think, do well to carefully study that statement. Even a cursory reference to that statement will satisfy the most fastidious sceptic.



tic that, except among the eight sections of the Gujarathi Brahmins, the number of boys married under 15 is invariably less than 60 per thousand, or 6 percent; while for girls the proportion is on an average 300 per thousand, or 30 percent. The same proportion is maintained among some of the lower classes of the Hindu community, while there is a majority of castes among whom the proportion rises much higher. Again, it must not be forgotten that there is nothing in the Hindu religion to compel parents to marry their daughters before the tenth year on penalty of excommunication. On the contrary, there are cases within the knowledge of most of us of even Brahmin girls remaining unmarried till 13, or even 14. As a general rule, all Hindu girls are married before they reach their puberty; though, even if a girl should remain single after she shall have reached that age, her parents are not necessarily excommunicated. Again, as a general rule, no Hindu girl is married before she has entered upon her eighth year, and nothing can therefore be more incorrect than to describe all these marriages as infant marriages. We may even add that, except in Gujerath and the adjoining Native States, infant marriages in the proper and literal sense of that term are almost unknown. And even there this system is principally confined to one section of the Hindu community, viz, the Kaidwa Kunbis, (Vide the Baroda Census Report of 1881 pages 116-17) among whom the marriage season comes once in a cycle of ten or twelve years. Mr. G. K. Bhatavadekar, Census Superintendent Baroda, writes in his very interesting report (page 117) that "out of the 23,478 married children (i. e. of both sexes under six years) among the Hindus, 16,320 children belong to the

Kaidwa Kunbi-caste." We may however, here add, that the redeeming feature about this caste is that widow marriage is not prohibited. Mr. Bhatavadekar further tells us (page 118) that "the figures noticed above, however, are rather exceptions, for the average age of marriage in each religion is much higher. Among the Hindus, 10 to 11 seems to be the average age of marriage for girls, and 15 to 19 for boys. Among the Mahomedans, the average marriage age seems to be 10 to 24, or rather 12 to 19 for females, and 15 to 24 for males. Among the Jains, the average marriage period seems to be from 12 to 19, and among the Aborigines and Christians, it seems to be above 15 for females, and above 20 for males." We shall here conclude this extract from the Baroda Report by observing that the exceptional system of baby marriage, which prevails among the Kaidwa Kunbis for the reason already stated above, prevails also to some extent not only among the other classes of the Hindu community, but even among Mahomedans, Jains, Aborigines, and also Parsis; for it seems from the table at page 118 of the Baroda Census Report, that there were on the day of the Census the following number of children under 6 years married in the respective communities:—Mahomedans, 197 boys, 341 girls; Jains, 13 boys, 46 girls; Aborigines 37 boys, 30 girls; and Parsis, 4 boys, and 13 girls. These figures are significant, though exceptional, and speak for themselves. And they can be explained only on the supposition that the larger and more predominant caste almost invariably sets the fashion, and thus the contagion spreads. The Kaidwa Kunbis can at least plead some excuse in their curious custom of a periodically

recurring marriage season ; but the other races mentioned above can not decently or reasonably plead even this excuse. We may also add that cases of unequal matches,—unequal we mean in the sense of the bride being older than the bridegroom,—would seem to occur most in this same Kaidva Kunbi caste of Guzerath. Nothing, however, can be a greater mistake than to draw general inferences in regard to the whole Hindu society from such exceptional circumstances of a single and isolated caste usage. We may therefore lay down once for all that baby or infant marriages are exceptions, and not the rule in Hindu society, that even child marriages below ten in both sexes are not usual, ranging only from  $2\frac{1}{2}$  to  $10\frac{1}{2}$  percent for boys and girls respectively, and that the marriageable age generally is 10 to 12 for girls, and 15 to 18 for boys. It will promote a healthy and practical discussion of the subject if we keep firm hold of these large facts, for it can serve no good purpose to mystify facts, and needlessly exaggerate the defects of our national institutions.

To illustrate further this position generally, it will be useful if we give below a short tabular statement for the seven principal provinces of British India, giving the total numbers of Hindu boys and girls under 10 years, the total numbers of those married and widowed under that age, and the proportion which the latter figures bear to the former. We have no doubt that the following statement will prove a very interesting study to the reader because of its unexpected and instructive results.

Province.	Hindu boys.		Percentage.	Hindu girls.		Percentage.
	Total number under 10 years.	Total number married and widowed.		Total number under 10 years.	Total number married and widowed.	
Bengal.....	64,42,284	8,57,890	54	64,53,697	8,96,286	14
Berar.....	8,29,925	13,582	4	8,49,726	74,085	212
Central Pro- vinces }	11,07,442	28,727	24	11,04,772	88,169	8
Madras.....	85,23,896	28,467	4	86,37,908	1,63,555	44
N. W. P.....	50,75,867	1,21,598	2	47,62,291	2,58,325	54
Panjab.....	9,40,722	10,467	1	8,99,893	29,228	84
Bombay.....	16,78,675	42,779	24	16,53,495	1,72,692	104
Total.	19,79,8511	6,03,588	3	1,57,92,782	16,82,550	9

It will be seen from the above that early marriages are most prevalent in Berar and Bengal, and that both Madras and Panjab show very fair results. In Bombay, the percentage of girls married under 10 is rather high as compared with Madras, N. W. Provinces, Panjab, and Central Provinces, but is much lower than Bengal and Berar. Another interesting fact to be gleaned from the foregoing table is that in Bengal,

Madras, and Berar, there is an excess of girls over boys, while in the remaining provinces the excess is in favour of boys. We shall not stop here to inquire what important bearing this latter fact, thus disclosed by the tabular statement, has upon the practical working of this social problem in the respective provinces.

It will be quite clear from the foregoing that, even if we confined our attention to the Hindu community only, cases of early marriages among boys are not quite so general as one would be led to infer from the perusal of Mr. Malabari's Notes. The extent of the evil,—for evil it is, and we yield to none in regarding marriage before 20 for boys, and 12 for girls, as an evil all the same,—is limited, though real, and we must not on any account allow our minds to be carried away by any exaggerated notions on the subject, either one way, or the other, either denying the practice to be evil, or asserting it to be more extensive than it really is. We have unfortunately not got full marriage statistics in the Census Report of 1872; otherwise we could have shown by the production of infallible evidence that early marriages are now less frequent, to howsoever small an extent, than they used to be before. We do not mean to convey an impression that the necessary reform has been widely introduced in all the sections of the Hindu community; all we say is that slowly, but surely, such marriages are becoming less frequent every year. Our own experience points in that direction, and we have no doubt that the experience of others is of the same character.

We have next to consider the remedial measures proposed by Mr. Malabari and his correspondents. These remedial measures may be classed under several heads. There are those who think that the system of child marriages, as it exists among us, is in itself a very necessary safeguard against greater evils, and that being prescribed by the institutes of religion, and sanctioned by custom, we must quietly let things alone.

There are others who think that the custom is a sign of our national corruption, and that it derives no sanction from the old texts, but that the evil, such as it is, can only be cured by the reform of our religion. A third set think that this change can only be accomplished by the spread of education, and by nothing else. A fourth set would go further, and think that the growth of a healthy social opinion is the only cure, and that we must try to bring the pressure of this opinion to bear upon individual members, and never think of resorting to executive or legislative changes. A fifth set would have no objection to executive measures of relief, but feel shy of seeking legislative help in the matter. Lastly, there is a small section which welcomes all these agencies, social opinion, religious reformation, education, executive and legislative measures, directed so as to conserve all that is living and strong in our body politic. Mr. Malabari appears to belong to that section which advocates executive measures of relief. In his Note on Infant Marriage, he suggests that the Universities should rule that, after due notice, they will confer their degrees on unmarried students only, and further that Government authorities should rule that they will prefer unmarried to married candidates in disposing of their patronage. As regards the first suggestion, we regard it to be quite practicable, and one which our Universities might reasonably be expected to adopt. We do not think there is much force in what Mr. Lee-Warner says about such a suggestion being outside the legitimate province of the functions of an University. Until very recently, English Universities, which have served as models for our own institutions here, did impose such a condition in respect of their fellowships and degrees, and we further understand that a few of them have to this day retained such a restriction. If these are the traditions of English Universities, we fail to see how it will be *ultra-vires* for our Indian Universities to follow the same example, of course after giving a reasonable warning to avoid

all injustice to those who may now be aspiring after University honours under existing conditions. Again, such a rule, if enforced by our Universities, would, we should think, be in full accordance with the accepted principles both of the Hindu and Moslem religions. The time-honoured Hindu principle is that so long as a boy is under instruction, he should remain *Bramhachari*, i. e. an unmarried student; while the Mahomedan religion enjoins, as we understand, that no Mahomedan girl should be married before she had reached the age of puberty, thus necessitating that no boy should be married before he had completed his minority. As a general rule, candidates for University distinction take their degrees before 21, and there can therefore be no hardship in the rule proposed. Thus far we agree with Mr. Malabari, but we are afraid that Mr. Malabari is greatly mistaken if he supposes that such a ruling on the part of our Indian Universities can produce any appreciable effect whatever on the masses. The class of people that come under the influence of our Universities is so small, that it will be an exaggeration to say that it is a mere drop in the ocean. If we confine our attention to the Bombay University, we shall find that the number of candidates, that appear for the Matriculation Examination every year, comes up to about 2,000, and that of this number one fourth on an average is every year successful. Of those that pass, all do not go to the colleges, the great majority being prevented by force of circumstances from availing themselves of the higher education given in those institutions. Let Mr. Malabari, for instance, take any particular period, say 1872-73 to 1880-81, and find out for himself how many of the total number of those, that matriculated during that period, attended colleges or succeeded in taking their degrees. We are not at all opposed to our Indian Universities framing such a rule as the one suggested by Mr. Malabari, but it should not be forgotten that the adoption of it will produce no really ap-

preciable effect on the deplorable system of early marriages. Such a rule would be desirable on purely educational grounds. We must, however, add here that, even without such a rule, we are gradually, and in the natural course of things, progressing towards the attainment of the great object in view. Some fifteen years back, it was not quite an unusual sight to come across, among those who were then studying for their degree in our colleges, some undergraduates who had already had one or two children, but we feel almost sure that such cases are now in these days almost conspicuous by their absence. We feel sure that the foregoing circumstance is a proof positive of the advance we have already made, and it furnishes a solid ground for the hope we cherish that, during the course of the next twenty years, we shall make further progress even without resort to any special expedients.

As regards Mr. Malabari's second suggestion, we are afraid that it will in practice be found to be quite unworkable. Applicants for situations in the public service are, as a general rule, persons who have attained their majority, that is, persons who have completed their twenty-first year. We do not think it will be quite proper to impose any condition of the kind suggested by Mr. Malabari upon this class of people. Besides this objection, the suggested expedient is also open to the same objections as the last named proposal; for if we compare the number of those that will be affected by such a rule with the vast mass that will never come under its operation, the remedy suggested will appear to be simply in-operative.

We have no sympathy whatever with the advocates of the let-alone-school, and it is hardly necessary to discuss their views on this important question. They ignore history, and they mis-represent their own traditions. The incubus of a decaying civilization has paralyzed their strength, and benumbed their sensitiveness to the many admitted evils of this and other practices, in regard to which our duty to strive after a higher exis-



tenoe is clear, more especially as in so doing, we are really walking in the foot-steps of the sages whom we venerate, and re-invigorating the nation with their true inspiration and example. ✕ In the same way we have no sympathy with those who advocate legislative interference in such social matters under the existing circumstances. The existing constitution of our Legislative Councils is not such that they can be safely entrusted with such a power as the advocates of this school contemplate. If our Legislative Councils were really popular in their constitution, it would be different. But as it is, we must decline to entertain the proposal for legislative interference. It will thus be seen that our sympathies are with the representatives of the remaining schools noticed above, and we have no doubt that those who advocate religious reform, popular education and the growth of sound social opinion as the only remedies available under the existing circumstances for effecting the needful reform, will obtain that full consideration for their several proposals which their importance demands. We have also very little doubt that if they will only realize to themselves adequately their responsibility and act with moderation and tact, carefully abstaining from doing any violence to the public feeling, and in that way inspiring confidence among the masses, the representatives of these schools,—we for our part regard it as one school only,—will at no distant date see all their efforts in the direction crowned with complete success. ✕ The success that has thus far attended the efforts of the representatives of this school, and upon which they certainly deserve to be warmly congratulated, is an earnest of what may be expected in the immediate future from the uninterrupted continuance and, if possible, renewed energy of similar efforts. ✕ During the last twenty years, a good deal has been effected in the direction of discountenancing early marriages, so much so that, as justly observed by the learned writer of the Baroda Census Report, the average marriage age for

girls among the Hindus is now between 10 and 12, whereas only twenty years ago it was quite different. All this change which has been silently effected, is due to the civilizing agencies at work, and, being the result of conviction rather than of coercion, it will, we have no doubt, endure, and lead to further change. During the next ten or twenty years, we shall see a still greater progress in the same direction, if the Hindu mind, which is very conservative and impatient—nay suspicious—of all external influence, does not undergo any revulsion of feelings in consequence of any outside pressure, howsoever benevolent in itself. There is absolutely no evidence to show that we have gone from bad to worse; on the contrary there is ample evidence to show that we have certainly made some real progress in the proper direction, to howsoever small an extent.

In conclusion, we have only to add that this system of early marriages, which is now prevalent among the Hindus, is an institution of only modern growth. It originated during the last years of the Peishwa dynasty, and received abnormal development in the early years of British administration, so far at least as this part of the country is concerned. Soon after the establishment of schools and colleges, and immediately after the close of the Mutiny of 1857, the early pioneers of social reform directed their attention to this among other subjects, and they and their successors have been silently working in the proper direction with the prospect of a still greater success in the immediate future. We hope on an early occasion to notice Mr. Malabari's other Memorandum on the subject of Enforced Widowhood, and we shall avail ourselves of the same opportunity to notice briefly the results of executive interference in such social matters.

Boys.	HINDU.				Girls.
GUJERATH.					
287,261	Under 10	years	Single	250,113	
106,067	10 to 14	years	"	47,833	
393,328	Total of Single				297,946
17,587	Under 10	years	married	36,582	
41,458	10 to 14	years	"	65,812	
740	Under 10	years	widowed	1,145	
1,480	10 to 14	years	"	2,432	
61,265	Total of married and widowed				105,971
454,593	Grand Total under 15 years				403,917
14 per cent	Proportion of married to Total				27 per cent
KONKAN.					
318,848	Under 10	years	Single	293,769	
105,337	10 to 14	years	"	35,137	
424,185	Total of Single				328,906
3,798	Under 10	years	married	24,047	
13,770	10 to 14	years	"	58,825	
98	Under 10	years	widowed	489	
359	10 to 14	years	"	2,287	
18,025	Total of married and widowed				85,648
442,210	Grand Total under 15 years				414,554
4 per cent	Proportion of married to Total				21 per cent
DECCAN.					
643,291	Under 10	years	Single	594,849	
256,678	10 to 14	years	"	76,250	
899,969	Total of Single				671,099
10,936	Under 10	years	married	63,077	
52,843	10 to 14	years	"	168,718	
525	Under 10	years	widowed	1,453	
2,045	10 to 14	years	"	5,995	
66,849	Total of married and widowed				239,243
966,318	Grand Total under 15 years				910,342
7 per cent	Proportion of married to Total				26 per cent
WESTERN KARNATIK.					
286,357	Under 10	years	Single	252,519	
147,185	10 to 14	years	"	54,406	
433,542	Total of Single				276,925
6,930	Under 10	years	married	39,535	
26,909	10 to 14	years	"	89,532	
713	Under 10	years	widowed	2,154	
3,671	10 to 14	years	"	7,989	

## INDEPENDENT SECTION.

38,273	Total of married and widowed	139,209
471,815	Grand Total under 15 years	416,134
8 per cent	Proportion of married to Total	83 per cent

## SIND.

47,702	Under 10 years	Single	42,180
18,442	10 to 14 years	"	7,661
64,144	Total of Single		49,841
328	Under 10 years	married	889
1,628	10 to 14 years	"	4,067
3	Under 10 years	widowed	11
26	10 to 14 years	"	70
1,985	Total of married and widowed		5,037
66,129	Grand Total under 15 years		54,878
3 per cent	Proportion of married to Total		9 per cent

## BOMBAY CITY.

52,437	Under 10 years	Single	47,173
21,606	10 to 14 years	"	8,087
74,043	Total of Single		50,260
1,101	Under 10 years	married	3,432
5,849	10 to 14 years	"	15,666
10	Under 10 years	widowed	78
71	10 to 14 years	"	294
7,031	Total of married and widowed		19,470
81,074	Grand Total under 15 years		69,730
8 per cent	Proportion of married to Total		28 per cent

## BOMBAY PRESIDENCY.

16,35,396	Under 10 years	Single	14,80,603
6,53,815	10 to 14 years	"	2,24,474
22,89,211	Total of Single		17,05,077
40,690	Under 10 years	married	167,562
142,517	10 to 14 years	"	402,620
2,089	Under 10 years	widowed	5,330
7,652	10 to 14 years	"	19,066
192,948	Total of married and widowed		594,578
24,82,159	Grand Total under 15 years		22,99,655
8 per cent	Proportion of married to Total		26 per cent

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# THE POONA SARVAJANIK SABHA.

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CHINTAMARAO VISHWANATH ALIAS BHAI SAHAB NATU ESQR.

### *Auditor.*

GOVIND MAHADEO GADRE ESQR. PLEADER.

### *Honorary Secretary.*

SITARAO HARI CHIPLUNKAR ESQR.

### *Secretary.*

SHIVARAM HARI SATHE ESQR.

## PROCEEDINGS OF THE SABHA.

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FAREWELL ADDRESS TO HIS EXCELLENCY THE MOST NOBLE THE MARQUIS OF RIPON K. G., LATE VICE-ROY AND GOVERNOR-GENERAL OF INDIA, ON THE OCCASION OF HIS DEPARTURE FROM BOMBAY.

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A deputation, appointed at the public meeting held at the Poona Town Hall on Sunday the 7th December 1884, and consisting of delegates from several districts of the Bombay Presidency, proceeded to Bombay on the 17th December to present the farewell address adopted at the public meeting. Agreeably to the arrangements made by the Government of Bombay the members of the deputation went to the Bombay Town Hall in the afternoon on Thursday the 18th December. His Excellency the Marquis of Ripon, accompanied by His Excellency Sir James Fergusson Bart, Governor of Bombay arrived at the Town Hall precisely at 2 P. M., and their Excellencies having occupied the two state chairs on the dais, His Excellency Sir James Fergusson commenced the proceedings by a short speech in which he described the arrangements made by the Bombay Government for the presentation of the several addresses from the Bombay and Madras Presidencies and from Mysore. The address from the inhabitants of Bombay was read and presented by the Hon'ble Sir Jamsetji Jijibhoy Bart, after which the following address was presented by Mr. S. H. Chiplonkar on behalf of the ~~local~~ deputation. Along with the address Mr. Chiplonkar presented to his Lordship ten bulky volumes, containing Vernacular Addresses signed by over 150,000 people from eighteen districts of the Bombay Presidency exclusive of Sind. Before presenting these volumes Mr. Chiplonkar briefly explained to his Lordship what they were. Mr. Chiplonkar also presented a farewell address to his Lordship from the Anjuman-i-Islam of Poona at the request of the deputation from that Mahomedan body. The following is the full text of the address adopted at the public meeting at Poona.

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To,

His Excellency the Most Noble

The MARQUIS of RIPON K. G., G. C. B., P. C.

My Lord,

We, the members of a Deputation appointed by a public meeting held under the auspices of the Poona Sarvajanic Sabha, and com-



prising delegates from the several districts of the Bombay Presidency, beg to approach your Lordship on the eve of your departure from India with this humble farewell address, which is accompanied by vernacular addresses bearing more than 1,50,000 signatures of the people from the aforesaid districts. These vernacular addresses are the basis of this address, and after enumerating the several blessings which have been bequeathed as a legacy by your Lordship, they express the heartfelt regret of the signatories thereof at your early departure from this country. With your Lordship's kind permission, we shall here dilate a little upon the principal points so prominently brought out in the accompanying vernacular addresses.

2. In reply to the address of welcome from the Poona Sarvajank Sabha which your Lordship was pleased to receive on the occasion of your visit to Poona in December 1880, your Lordship used the following expressions:—"I do not think that the Viceroy of India ought to be given to much speaking, and certainly I for one would much prefer that when my term of office comes to an end, the people of India should be able to say, 'well, he has on the whole been better than his word', than that they should say, 'he has used large sounding and big phrases, but has done nothing to give them a tangible shape.'" Your Lordship has had, since the commencement of your cold-weather tour, several unmistakeable proofs from all parts of this vast country of the very high estimation in which your administration as Viceroy and Governor General of India has been held by all classes of people in this country; and we most gratefully acknowledge on behalf of Guzerath, Maharastra and Karnatic that your Lordship has in every respect proved much better than your word. When your Lordship assumed the reins of the Indian Government in June 1880, India was at war with Afghanistan, a struggle which, all parties now agree in thinking, was needlessly entered into, and by provoking rancorous feeling outside our borders, it brought neither glory nor safety in its train. Your Lordship brought those operations to an early close by the complete withdrawal of our army from that country, after having established a friendly and stable Government there, and thus put a stop to the financial embarrassment which those operations had involved this country into. The maintenance of peace in Afghanistan, and the active co-operation of its ruler in this work, as evidenced by the peaceful progress of the Indian section of the Afghan Boundary Limitation Commission, are, in our humble opinion, the best proof of the enduring character of the wise settlement made by your Lordship of the Afghan question.

3. The peace and rest which India then most sadly needed having been thus secured by your Lordship's efforts, your Lordship directed your attention to internal domestic reforms. Here we beg leave to

refer first of all to the repeal by your Lordship of the Vernacular Press Act, which had been passed at one sitting of the Viceregal Legislative Council during the administration of your predecessor. That measure had caused the widest discontent throughout the country, and though latterly it was practically a dead letter, still so long as it remained unrepealed on the statute book of India, the liberty of the Press, so wisely conceded by Sir Charles Metcalfe half a century ago, was in constant danger of being interfered with. True, to the traditions of freedom and equal government, which are the national heritage of Englishmen, your Lordship's Government, set the Vernacular Press free once more on its old foundations, and thus encouraged the healthy development of a sound public opinion, so essential to good government. Occasionally, a paper here and there may indulge in exaggeration and acrimony due to the effects of want of mental balance, and tolerance of adverse views characteristic of imperfect cultivation; but such expressions are to be found both in the Anglo-Indian as well as in the Native Press, and should not be used as argument for condemning the whole Native Press. Your Lordship will be gratified to learn that the Native Press of this Presidency as a whole has established, in the estimation of the Bombay Government, a reputation for moderation and loyalty, for on a recent occasion the Bombay Government officially communicated its opinion that His Excellency in Council was happy to say that "the Native Newspapers of this Presidency, while discussing public questions with independence are generally conducted with good taste and in a spirit of loyalty."

4. By far the most important reform in the domestic administration, which your Lordship has successfully introduced, is the extension and development of the Financial Decentralization policy inaugurated by Lord Mayo in 1870. The system of provincial finance was to a certain extent developed by your Lordship's predecessor, but the chief task which engaged your Lordship's attention was to turn these financial arrangements to national account as a means of political education. The whole country has learnt to look upon your Resolution of May 1882 as the Magna Charta of local administrative independence. Notwithstanding the unfortunate difference of opinion which for a time prevailed on the subject of the development of local self-government in this Presidency, we are very glad to be able to state that the people of this Presidency are greatly indebted to the zealous co-operation of the Bombay Government for the comprehensive and progressive legislative measures passed this year to carry into effect the liberal policy enunciated by the Government of India. Local and Municipal Boards have now been founded on a satisfactory basis, and it is to be hoped that, as time advances, and the people of this Presidency give proofs of their capacity for self-government, th

elastic provisions of the two legislative measures, which have been framed in a far-seeing and judicious spirit of progressive liberality, will be cheerfully and ungrudgingly extended so as to transfer the whole responsibility of local government to the people themselves. By far the most satisfactory features of the two legislative enactments to which we attach special value, is the statutory and liberal character of the franchise. The electors will surely feel greater independence in the exercise of their new privilege which they know they derive under statutory provisions, than if they had derived it under the executive action of Government, as has been the system followed elsewhere. The other equally satisfactory feature is that complete freedom in the application and expenditure of their revenues has been by law secured to the urban and rural Boards, and the Bombay Government has most scrupulously and generously avoided all semblance of dictation in the application and expenditure of local revenues. We had hopes that the first urban and rural boards under the new Acts would have been formed before your Lordship's departure from this country, but though your early departure has prevented the full realization of those hopes, your Lordship will no doubt be gratified to learn that so far as the Municipal elections in twenty-four towns early last year are concerned, as well as the rural elections in four districts of this Presidency, the results have been eminently successful in every respect, and have given great satisfaction to the Government of Bombay, thus showing that the views held by some district officers about the premature character of the changes were not well-founded. With a view to explain to the people in the Mofussil the objects of the local self-government policy, and the intentions of Government in respect thereof, and especially to familiarize the rural community with the requirements of the new system, the Sarvajanic Sabha deputed specially qualified agents who travelled over all the districts of this Presidency, exclusive of the province of Sind, and those agents received most cordial help from the District Revenue authorities. The Bombay Government too has, by a recent Resolution, issued at the request of the Sabha, instructed all the revenue officers and the superior officers in the Educational Department, to perform similar functions in every sub-division of a district before the elections took place. If the local officers carry out the instructions of Government in the same liberal spirit, as we have no doubt they will, the success of the whole policy will in a short time be assured in a measure creditable to all concerned. The feeling of gratitude towards your Lordship, in consequence of the concession of this privilege of the elective franchise is so great that, in a large tract of the country which this deputation represents, the day on which your Lordship first set foot on the Indian soil in May 1880, has been for the last three years observed by the people as a special festive day.

5. The appointment in 1882 of the Education Commission under the Presidency of the Hon'ble W. W. Hunter C. I. E., its inquiries and report, and the recent Resolution of your Lordship's Government on the report of that Commission, next demand our attention. We are grateful to your Lordship for the renewed assurance of the Government of India that the activity of Government, hitherto maintained in the direction of higher education, will on no account be slackened, while a fresh impetus will be given to the increased spread of primary education. In this Presidency, the Department of Public Instruction had hitherto devoted too exclusive attention to the development of its own special departmental agency for the spread of primary education, and has done but very little to stimulate the activity of the indigenous agency by any liberal official recognition of the same, or by incorporating it in the Department as the basis of its own elementary system. The Education Commission in its Report emphasized this point, and we are glad to learn that, under the recent orders of your Lordship's Government, the Bombay Educational Department will take steps to utilize to the utmost extent possible the indigenous agency already existing and available. Under skillful and sympathetic management, such as has now been assured by the recent orders, indigenous agency is capable of a wide expansion, and we confidently hope that this new departure will, during the course of a reasonable interval, ensure the early and rapid development of a system of primary education at a minimum outlay of state funds. It is in this respect that we attach special importance to the labours of the Education Commission. Private enterprise, if timely and considerably fostered, is capable of doing much in other branches of public instruction, and we are glad that the labours of the Education Commission have resulted in emphasizing both the desirability and necessity on the part of the Department of Public Instruction of utilising private enterprise more and more instead of exclusively relying upon its own necessarily highly paid agency. Your Lordship will be glad to learn that an educational institution under the name of the Deccan Education Society has been recently established in Poona, the capital of Maharastra, which proposes to start or affiliate private secondary schools all over the Presidency, and bring them under a central popular management. This Society also seeks to establish an Arts College under purely Native auspices. Such an institution would be the first of its kind in Western India, and may be justly said to be the direct result of the labours of the Education Commission. As another instance of the direct outcome of the labours of the Education Commission, we may also refer to the recent establishment at Poona of a High School for Native Girls, also the first of its kind in Western India. In short, the appointment of the Education Commission early in 1882 has realized its promise of marking an important

epoch in educational policy, and inspired the leaders of private enterprise with an amount of confidence which, under the old state of things, they would never have felt.

6. The next important reform with which your Lordship's name will be associated in grateful remembrance has reference to the land revenue policy. The first preliminary step taken by your Lordship in this direction was the revival of the Agricultural Department of the Government of India, and the subsequent development of that Department in the other Provinces. To the incessant activity of that Department we owe all the reforms which have recently been introduced in the land revenue policy, and the Department is justly entitled to the credit of having thereby justified its establishment and continued maintenance. In the course of the discussions in the Viceregal Legislative Council in the autumn of 1879 on the Deccan Agriculturists Relief Bill, all the leading Members of the Government of your Lordship's predecessor in office, even the Mover of the Bill, a Bombay Revenue officer of great experience, not excepted, admitted that the Bombay Land Revenue system was in no small degree responsible for the situation which had necessitated resort to special and exceptional legislation, and they promised that legislative relief would be supplemented by administrative reform. The Government of your Lordship's predecessor, agreeably to the forementioned pledge, had recommended the suspension of all revision operations in the Deccan districts for a period of five years at least, so as to allow the Deccan Rayat to reap the full benefit of the legislative relief afforded, but the Secretary of State declined to sanction that recommendation. Your Lordship has, we are glad to learn, succeeded in inducing the Bombay Government to accept a limit of finality to the operations of the Survey and Settlement Department, and also to consent to formulate rules for the suspension of the collection of land revenue over special tracts of uncertain rainfall. The first reform is unquestionably an invaluable boon, because the continued maintenance of a special Department with its traditions, often working in direct opposition to the wishes, not only of the people, but even of the district revenue officers, has been a constant menace to the permanent fixity of the settlement and revision operations. As regards the second reform, we attach no less importance to it, because people have a bitter experience of how, even in the dark period of the famine of 1876-77, no remissions and suspensions were allowed except as a last resort, on the plea that, when the rates of assessment were originally fixed, due discount was allowed not only for the ordinary but even the extraordinary variations and capriciousness of the seasons. Considering the former attitude of the Survey and Settlement Department, we cannot but feel extremely grateful to your Lordship for the two reforms mentioned above. As regards the Deccan districts

which are under a special legislation, your Lordship, acting under the advice of Sir Evelyn Baring, the late Finance Member of your Government, recommended the establishment of an experimental Agricultural Bank in the Purandar Taluka, and accepted the conditional offer of the Poona Bank Committee to take over the management upon certain terms. The scheme now awaits the sanction of the Secretary of State. Without some such supplementary relief, and especially without an honest attempt to secure a permanent fixity and moderation in revision settlements, the special legislation, whatever temporary relief it may afford to the Deccan peasantry, will, we feel confident, produce no permanent beneficial results; for a Government, that has imposed extraordinary restrictions on the powers of private creditors, can surely be never justified in leaving its own action quite unhampered by the very same considerations which have dictated this encroachment on private rights. We confidently trust that your Lordship's successor will see his way to enlarge the scope of these reforms in the direction which your Lordship has succeeded in initiating.

7. Before 1878 the salt duty in this Presidency was Rs 1-13 per Maund, but at the beginning of that year, it was suddenly raised to Rs 2-8 with a view to equalize the duty all over India, and balance the loss caused by the abolition of the import duties. This sudden enhancement of the duty by nearly 38 percent caused serious hardship to the people in this Presidency, and in certain districts led to the increase of preventible diseases owing to the consequently stinted use of salt by the people thereof. Under these circumstances, the reduction of that duty was received with extreme feelings of gratitude, though the duty as it now stands is still higher than it was before 1878. We confidently trust that the financial results of the reform initiated by your Lordship will soon enable your successor to further reduce it, at least to the point where it originally stood before 1878. And we cherish this hope all the more, that none of the apprehensions entertained as to an undue fall in the revenue, in consequence of the reduction, have been realized.

8. My Lord, in one of your speeches during the recent cold-weather tour, you said that you raised the Viceregal Legislative Council to its full complement for the first time by taking advantage of the provisions of the Statute of 1861, and that you were always very careful in making your selections for the appointment of the Additional Members of the Council for making Laws and Regulations. We are exceedingly grateful to your Lordship for the reforms which you thus introduced, and we confidently trust that the example of one, who, in his own Parliamentary capacity, had such a large share in carrying that Statute through Parliament, and who had thus the best means of knowing the intentions of the venerable author of that Statute, will en-

courage all your successors to tread in your footsteps. We of the Bombay Presidency have especial reason to feel thankful to your Lordship for the said reform, because it enabled your Lordship to allow this Presidency for the first time to be represented by a non-official native gentleman. And nothing could have been better than the selection of the Hon'ble Rao Sahab Vishwanath Narayan Mandlik C. S. I. as the first non-official representative of the Bombay Presidency. In connection with this subject, there is one very important and radical departure which your Lordship inaugurated, and it is to be hoped that your Lordship's successors and the future rulers of the three Presidencies, which now enjoy the privilege of having their own Legislative Councils, will be pleased to imitate your noble example. That very important and radical departure consists in the procedure which your Lordship followed in appointing the late Kristodas Pal Rai Bahadur C. I. E. to the Viceroy's Legislative Council. The system of nomination, pure and simple, which has now been so generally condemned on all hands in the analogous case of the appointments to the Statutory Civil Service, is also widely regarded as unsuitable in the case of the appointments to the Legislative Councils, and though the time for entirely abandoning it in favour of the rival system of election may not have arrived, still, as a preparatory step towards the eventual introduction of that wholesome reform the mixed system of selection and nomination is one which deserves a fair trial, now that the successful introduction of the local self-government scheme on a wide popular basis has led to the formation of representative Boards, to whom the duty of primary selection can be safely entrusted. We trust that your Lordship's successor will complete the work of reform in this direction on the lines developed by your Excellency.

9. The encouragement given to indigenous industries by directing the purchase of local stores, and by affording other facilities for starting new industries under favourable circumstances; the restoration of the Famine Insurance Fund, and its scrupulous application towards its legitimate purposes, even when a portion of the special taxation imposed at the time of the creation of that Fund in 1878 was remitted under the skilful administration of the Indian Finances by the Hon'ble Sir Evelyn Baring; the vigorous protest of your Lordship's Government against India being required to bear any portion of the cost of the Indian contingent to Egypt, and its partial, but none the less, considerable success; the elevation, though temporary, of a competent native gentleman to the Chief Justiceship of the Calcutta High Court; the establishment of an Oriental University in the Punjab; the scrupulous regard shown in removing all invidious distinctions between the two races, and in establishing an equality of legal status

between the Native and European District Magistrates and Judges; the extension of the system of trial by Jury; the partial introduction of the competition system recently introduced in making appointments to the statutory Civil Service, and the recommendation to the Secretary of State, which your Lordship is understood to have made, for raising the maximum limit of age for the competitive Civil Service examination, and also for improving the system under which nominations to the Statutory Civil Service have been hitherto made; the revival of six out of the nine Victoria scholarships by the Government of India; the encouragement to the more intelligent criticism of legislative measures by directing that drafts of Bills should be widely circulated and published in the vernacular languages; the assimilation of the practice with the theory of all legislation by requiring that all executive rules and regulations shall, before they are finally sanctioned by competent authority, be published in a draft form with a view to their being fully discussed and criticised by the public generally and that section of it especially whom they more intimately affect; the thoughtful exercise of the vetoing power vested by law in the hand of the Viceroy in the rejection of injurious legislative measures, calculated to encroach upon the freedom of action of the public, and to otherwise affect prejudicially their interests; and last, but not least, the unconditional release of the Salem prisoners from merited penal servitude; these are the principal acts, in addition to those previously noticed, which have won for your Lordship the affectionate esteem and friendly admiration of a constitutionally grateful people, and which have convinced them that, in your administration of the Empire during the last four and a half years, your sole end and aim was to govern India in the interests of its millions.

10. We have also reasons to believe that your Lordship's attention was directed to some other questions also with a view to settle them in a satisfactory manner, but that, owing to the incomplete condition of the inquiries instituted, your Lordship was unable to dispose of them in a manner to remove all grounds of dissatisfaction. We shall with your Lordship's kind permission briefly indicate the nature of these questions. The Arms Act has been causing a needless inconvenience to the people in the various districts by exposing them to the attacks and ravages of wild beasts, and the Act requires some modifications to impair its rigour without affecting its efficiency. In view of coming dangers the policy of demartialisation, pursued for so many years, must be reconsidered. The creation of a reserve for the Native Army, the opening of the Military Service to Commissioned Native officers, and the proposal to strengthen the armies of Native Princes by better discipline and more implicit confidence, must soon engage the attention of the Government of India. We are fully aware of the extreme im-



portance of forest conservancy in an agricultural country like India, and consequently of the necessity of judicious extension of the area reserved for forest growth, as a most necessary safeguard against the increased silting up of the river beds and stream channels in the country. While we are fully alive to these considerations, we still submit that Forest Conservancy Regulations notoriously require some modifications, so that the agricultural classes may not be unduly inconvenienced in their ordinary pursuits, as they are now in several districts. So also it is now generally admitted that the Trades License Tax presses with undue hardship upon one class of people, while it does not in any degree whatever affect those whom there is no reason to exclude from the operation of a fiscal legislation of an Imperial character. It was at one time expected that, with the valuable assistance of your late colleague, the Hon'ble Sir Evelyn Baring, your Lordship would see your way to remove at once, and completely, this invidious inequality, at any rate by distributing the burden proportionately upon all classes, even if the necessities of the financial situation did not admit of the complete surrender of this source of revenue. And lastly, we hope that the inquiry now instituted under the presidency of the Hon. Mr. Quinton will ere long result in the more complete separation of the judicial from the executive functions which are now united in one and the same officer, and which amalgamation causes an amount of avoidable hardship and inconvenience.

11. My Lord, having in the foregoing paragraphs briefly reviewed the principal acts of your eventful administration, we must now express our deep and heartfelt regret at your early departure, and we have to beg your Lordship to accept the most sincere and heartfelt thanks of a grateful nation for your having, during your short tenure of office, pursued a completely national policy of governing India, and for your having thereby given a definite shape to the legitimate hopes and aspirations of our countrymen. Never has India been so happy and contented as during your short but eventful administration, and the secret of that happiness and contentment is, that your Lordship succeeded in an eminent degree in winning the hearts of the whole nation, and thereby proving to demonstration what a mighty power sympathy is, and how much of dormant vitality there is in the country, which awaits being called into play at the simple touch of the magician's wand. Your Lordship has also proved to demonstration the enduring character of the foundations upon which the British Empire in India principally rests. For the first time in the history of India, since the promulgation of the memorable and historical Royal Proclamation of 1858, the loving and loyalty-inspiring assurances of the gracious Sovereign, who reigns supreme in the hearts of a loving and grateful loyal nation, found an adequate fulfil-

ment during your Lordship's administration as Viceroy and Governor-General of India.

12. When more than three months ago we first heard of the appointment of your successor and of your early retirement, we looked forward most hopefully to have in the Upper House of the British Parliament a "Member for India," just as we upto within a few weeks back had one in the Lower House in the person of the late Professor Henry Fawcett, who, as is now generally admitted on all hands, most richly deserved that distinguished honour. It has, however, pleased Providence to snatch away from our midst so extremely valuable a life in its very prime, and we must all bow to His decree. But we cannot help observing that the hands of the late lamented "Member for India" in his very magnanimous and generous efforts to advocate the interests of unrepresented India, and to secure to her millions equal justice at the hands of the Imperial Legislature, would have been immensely strengthened by your Lordship's willing and cordial co-operation, the result of your personal knowledge on the spot of the several intricate problems of Indian administration. A more happy and auspicious combination in the interests of India could never have taken place, but the Almighty decreed it otherwise. The loss caused by the untimely death of Professor Fawcett, whose name has been a household word in this country for the last 15 years, is very widely and very deeply felt throughout the country, and India confidently looks to your Lordship to repair that loss. The enthusiastic and cordial receptions of which your Lordship has, since the commencement of your recent cold-weather tour, been the loving object, receptions the like of which were never before witnessed in this country, will emphatically demonstrate that your Lordship enjoys in an eminent degree the supreme confidence of the millions of India, and this unanimous and emphatic expression of the Indian public opinion invests you with all the attributes of a "Member for India."

13. In conclusion, we fervently pray that the Almighty may shower his choicest blessings upon your Lordship and the Marchioness of Ripon, and that He may grant you long life and strength and prosperity to serve our gracious Sovereign, and her magnificent Empire over which the sun never sets.

We beg to subscribe ourselves, my Lord, your most obedient and humble servants.

After all the addresses had been presented, his Lordship rose amidst deafening cheers to return a collective reply. His Lordship said:—

Gentlemen,—Some feelings are best expressed in the simplest language, because the strongest is inadequate to convey them. And therefore in thanking the meeting for these addresses which in such

numbers you have just presented to me, and for the wonderful reception which I have received at the hands of this great city to-day, I can find no way of explaining to you my sentiments, but to say that I thank you with all heart. (Cheers.) Any man, gentlemen, might justly be proud of the appreciation of his policy, of the approval of his measures, which after four and a half years of arduous government, have been afforded by the occurrences of this morning. Your approval, as manifested in these addresses, needs no development or explanation from me; but nevertheless, I would ask you to bear with me while I touch upon some of the many questions to which these addresses allude. When first I came to India war existed between England and Afghanistan, and it was the first duty of my Government to bring that contest to an early and an honourable conclusion. The policy of those whom I represented was to secure, if possible, upon our north-western frontier a strong, a friendly, and an independent Afghanistan. Gentlemen, I think we may fairly claim that in a large measure, at all events, that object has been attained. (Cheers.) We could not have a more marked proof that the Government of the present ruler of Afghanistan is strong than that which has been just afforded by the peaceful and successful march of a small body of British officers and British troops through some of the most outlying districts of Afghanistan kingdom, and amid some of the most turbulent tribes that acknowledge the sway of the Ameer, I need not say that Afghanistan has received perfect independence in regard to her internal administration, and I can assure you that our relations with that country were never at any time in a more friendly and cordial condition than they are at the present moment. (Cheers.) Since the Afghan war was brought to a conclusion complete tranquillity has reigned in India, with a few unimportant exceptions with which the Government has known how to deal promptly and firmly; and with peace without and tranquillity within, we were able at an early period of my administration to fulfil a pledge which I gave in this city to the Bombay Corporation in 1880. (Cheers.) I told them that it was my earnest desire to devote the attention of my Government to those works of internal improvement which that Corporation then brought prominently under my notice. (Cheers.) And for most among those internal questions stood prominently forward the question of finance. In 1880 much discredit had been thrown on Indian finance—a discredit in a great degree unfounded and unjust; and I am bound to say, as I have alluded to that state of things, that I can find no proof of the truth of the solidity of the very grave charges which were brought at one time in that respect against the Government of my predecessor, and especially against Sir John Strachey. At all events, it was the earnest effort of my honourable friend Sir Evelyn Baring and myself—(loud cheers)—

yes, gentlemen, you are right to cheer the name of Sir Evelyn Baring—(renewed cheers)—for India never had a truer friend nor an abler servant—it was our effort to restore public confidence in the soundness of Indian finance and I think I may justly claim that in that effort we have succeeded, and we succeeded in doing so while at the same time we made a larger remission of taxation than had been made at any previous period of Indian history. The rumours which were abroad about Indian finance have been dispelled. Taxation has been largely reduced, and the Famine Insurance Fund has been placed upon a sound and secure footing. Gentlemen, I rejoice to observe that in many of your addresses you have spoken with gratitude of the reduction of the salt duty. (Cheers). There have been those who have pretended that that reduction has conferred no benefit upon the country; but hard dry facts are there to contradict that statement, because the revenue from salt is rapidly growing, and as it grows it shows that the consumption must be increasing, and that there must be more of that valuable commodity at the disposal of the poor. I look forward at no distant day to the time when the salt duty will have fully recouped itself—(cheers) and then it will be in the power of my noble friend and successor to consider the propriety of a further reduction. Gentlemen, through God's mercy we have been spared during the four-and-a-half years of my Government from the grievous evils which had resulted from the famine which had just recently desolated many parts of Bombay. I told you then that we would do our best to afford the country greater security in future against the recurrence of that tremendous misfortune. Well, we have done so. Aided by the labours of the Famine Commission, and by their full and exhaustive inquiries, we have taken steps which I have no doubt will bear excellent fruit when the hour of trial comes. Foremost among them I place the efforts which we have made, and which the Government of India is still making, for the extension of railway; for there is no surer means of preventing famine than by opening up fresh communications in the country. (Cheers.) Again, there is now in every part of India a Famine Code in existence, if not completed in all cases, yet practically ready for work if the necessity should arise; and the Government of India, with the sanction of the Secretary of State, took early steps to re-establish the Revenue and Agricultural Department, so that it might be ready, if the hour of trial should come, to put at once into operation the measures necessary for meeting the danger. And I believe that this Government was never at any previous period of its history so well able to cope with scarcity or famine as it is at the present moment. (Cheers). Then, gentlemen, we have engaged in what is often called a more active Public Works policy. I admit that my main reason for giving a cordial support to a policy of that description has been my

deep and strong sense of the duty of the English Government to promote measures to cope with the evils of famine in this country. But besides that we have a duty to perform by developing the resources, and opening up the communications of the country, and the Government is endeavouring to do so at a greater rate than they proceeded before, subject to one condition, laid down for us by the House of Commons' Committee and in which I cordially concur—that condition is that our efforts in that direction shall not impose further burdens of taxation on the people. (Cheers.) Then, gentlemen, we have naturally turned our attention to the many important questions connected with the land in India. No questions in India are really of so great importance to the mass of the population as those concerning land revenue and land tenure. It has been the object of our measures to afford to the payers of land revenue greater security in the future as to the principles upon which that revenue will be assessed, and to save them from much of the harassing investigations which have taken place under the system previously in force. We have desired to secure to the owners and the cultivators of the soil the full and undiminished benefit of every improvement which they may make in their land, and we have striven to give to our system of levying the land revenue a greater elasticity, by establishing a system of suspensions and even of remissions in times of scarcity and famine; so that when the hour of need comes the pressure of the revenue may not be felt, (Loud cheers.) And gentlemen, I am glad to speak upon this subject here, because I have the pleasant duty of acknowledging the cordial assistance which I have received from my Rt. Hon. friend your Governor—(cheers)—in this important matter. I venture to say that at the present moment the land revenue system in Bombay is ahead of that in any other part of India—(cheers,)—although measures are being taken elsewhere, notably in Madras, with the same object in view. You have spoken, gentlemen, on the subject of agricultural banks. Upon that I can say nothing—for it is a subject still under discussion between the Secretary of State and the Government of India.—beyond the giving expression to my own very earnest desire that a fair and honest experiment in the matter, a real and bona fide trial, may be given to banks of that description. (Cheers.) Gentlemen, you have most of you in your addresses alluded, as was natural, to the part which I took in the Vernacular Press Act, and it has formed the prominent topic in the address from the Vernacular Press in this presidency. I have spoken upon this subject very recently, and as those nimble-fingered gentlemen who are good enough to take down my words, send those words throughout the length and breadth of the country in a manner which may be—if my words are worth listening to—advantageous to the public, but sometimes embarrassing to the speaker when he has a great many

speeches to make on the same topic—(laughter and cheers)—I will not detain you upon that subject, further than to say that I esteem it an honour to have had a hand in repealing that Act. (Renewed cheering) I do not think that any man who watches with moderate care the signs of the times in India can fail to notice the increasing power of public opinion. (Cheers) Now, that increasing power throws a growing responsibility upon you, gentlemen, who are connected with the press. You have a great deal to do with the formation of public opinion, and for the soundness of that opinion you may be very responsible. If you are thankful to me, as you tell me that you are, and as I believe, for the part that I have taken in striking off the fetters with which you were bound a few years ago, then the best reward that you can give me is to exercise your important and responsible function justly and wisely. (Loud cheers.) Nearly connected with the question of the freedom of the press is the general question of education. Education gentlemen, is a thorny subject—(laughter)—in every country in these days, and in India it is accompanied by difficulties of its own. It is therefore a source of the highest gratification to me to believe from the expressions of the public opinion which have come under my notice that the Resolution the Government of India recently issued upon the subject has been received with general approval. Our policy in regard to it has been to give an impetus to primary education, which we desire to see spread more and more as funds and opportunities will permit throughout the length and breadth of the land, to appeal to private munificence to come in and aid the Government in this great work, and at the same time to be over-careful to uphold and to advance higher education throughout the country. (Cheers.) I believe that in consequence of the labours of the Education Commission it has been in our power to lay down sound principles upon which primary education may be advanced in the future, and I am glad to say that in many parts of the country—in Poona, in Bombay, in Agra, in the Central Provinces, and elsewhere—the appeal which we have made to private aid and private assistance in this matter of education is receiving a cordial and I trust a fruitful response. (Cheers.) Gentlemen, it is a great pleasure to me to learn from the address which was read by my friend, Sir Jamsetjee Jejeebhoy, that it is the desire of the people of this great city to connect my name with a technical school. I shall indeed be proud to accept that offer—(cheers), for I am deeply convinced of the great importance of technical education everywhere and especially in India. (More cheering) There is no country in the world, perhaps, in which it is more important that manufactures should spring up, and that industries and arts should flourish, so that the pressure of population on the land may be relieved and new sources of employment may be opened to the masses of

the people. Therefore I trust, and I have every reason to believe, that this question of technical education will receive adequate attention from my noble successor, Lord Dufferin. (Cheers.) Gentlemen, there is one branch of education in respect of which I have been able to do much less than I should have liked, in which I feel a deep interest, and that is female education. (Cheers.) The subject, we all know, is a difficult one. Many social considerations are mixed up with it, but it is very agreeable to me to perceive that it is attracting a large amount of attention among intelligent men in this country, and to observe the efforts which are being made at Poona and elsewhere for the establishment of efficient female schools. The difficulties of the question make it necessary that the Government of India should proceed with caution in regard to it. It is for you, gentlemen, to come forward for you to show the way to the Government, for you to prove what may be done for general acceptance, and then you will find every Indian Government ready enough to help you. (Cheers.) May I be permitted to say that everything which concerns the position of woman in India is of vital importance. (Renewed cheers.) The Government at the present moment can do little; you can do much; let me ask you earnestly to lay to heart that first of social problems. (More cheering.) Gentlemen, I shall have an opportunity tomorrow of saying something as to my views upon the important subject of local self-government, and I will therefore content myself now with expressing the satisfaction which I feel at the substantial progress which has been made already in this matter. (Cheers.) The elections for municipalities which have recently taken place in the Upper Provinces, and to some extent in Bombay have all been, so far as I am able to learn, of a highly satisfactory character, and give promise of a gratifying result for the policy the Government with which I have been connected has pursued in this matter. And I am quite sure that in a few months, when the measures with the view of carrying out the Acts recently passed in this Presidency shall have been completed and brought into full execution, results at least equally satisfactory will attend their application in Bombay. Our object, gentlemen, briefly stated, in the policy we have pursued in this matter has been to encourage self-help among the people, to afford them means of training themselves for the management of their own local affairs, and to secure in that administration that local interest, supervision, and care which it was the object of Lord Mayo to attain in the famous decentralisation Resolution which will form one of the noblest memorials of his distinguished Viceroyalty. (Cheers.) And, gentlemen, when the work is completed here, when your local boards are established in the various districts of this great Presidency, let me beg you as my last request connected with this subject, in which I have felt so

deep and keen an interest, to turn your attention to the question—small it may be in some senses of the word, but of the greatest magnitude for the benefit of the mass of the people—to the question of village sanitation. (Cheers) I leave that as my legacy to the work of Local Boards in Bombay. (Loud cheering) Gentlemen, I cannot thank all the separate deputations, so numerous are they, which have appeared before me to-day—I can not thank them separately, time would not permit it, nor could my powers avail of it; but I must express the great pleasure with which I have learnt that some of these deputations have been really composed of actual cultivators of the soil. (Cheers) I told you in 1880 the first object of my administration would be to promote the welfare of the masses of the people, and therefore it is pleasant indeed to see that those for whom I have laboured are here to tell me that my work has not been in vain. (Loud cheers) But I must say a word or two to you, gentlemen of Madras, for you have done far indeed to do me the honour of presenting me with your address to-day. I heartily thank you. I shall not forget the reception you gave me last winter, and I receive this further proof of your regard and attachment with the utmost gratification. Gentlemen from Salem, I rejoice to meet you under happier circumstances than those which existed when we met before. (Cheers) But you must allow me to remind you that you do not owe your foremost thanks to me for the release of those in whom you were so much interested. I cordially approved and heartily rejoiced over the measures which the Madras Government took in that matter, and I was in communication with them about it; but it was the free act of the Madras Government, and to my right Hon'ble friend, Mr. Grant Duff, your first thanks are due. (Cheers.) And now, gentlemen, I am not going to speak to the majority of this great assembly. I want to say a few words to a limited deputation; they are words that I am glad to say, for this is the first occasion upon which I have had the opportunity to vindicate one portion of my conduct which has been greatly assailed. I can assure you, the deputation from the Eurasian and Anglo-Indian Society of Madras, that I am deeply grateful for your presence here to day—(Cheers)—because it shows that you at least have rightly understood the real feelings of the Government of India, and that, in spite of the efforts that have been made to injure that Government in the mind of the Anglo-Indian and Eurasian population, you have seen and have rightly understood the real feelings by which we have been animated. (Loud and continued cheering.) It might perhaps have been recollected that one of the early measures of my Government was the issue of a Resolution for the promotion of education among Anglo-Indians and Eurasians. That Resolution was not received with perfect favour by a large portion of the native community. They criti-



cised it somewhat sharply, but I persisted in it because I believed that by it we were doing an act of justice to one portion of the community. Enlightened by the inquiries of that able man Archdeacon Baly, whose services unluckily have been lost to India, we put forth measures, which I hope will bear increasing fruit to the benefit of the community to which I am alluding. Then, gentlemen, there was another Resolution which was regarded, I will not say, so far as that goes, unjustly as it was calculated to interfere with the prospects of that community. I speak of what is known as the Roorkee Resolution. Well, the time has come when I may tell the whole truth of that story, and I will tell it now, because it will be told next Saturday in the *Government Gazette*. For long years under successive Governments and for different parties the Secretary of State for India had been impressing upon the Government of India the untoward fact that there did not appear to be a single pure native of India among those who obtained guaranteed appointments from the College at Roorkee. The Secretaries of State, one after another, said—and I quite agree with them—that that was a highly unsatisfactory condition of affairs, and they pressed upon us that measures should be taken to remedy it by confining those guaranteed appointments not to statutory natives of India but to men of pure Asiatic blood alone. We were disinclined to take that step, because we were very reluctant to draw any distinction between those who under the law are called natives of India, but we felt that a system which so worked as to prevent the great mass of people from obtaining any benefit from it was a system which could not be defended. And at last we came to the conclusion that we would follow the bidding of the Secretary of State and in accordance with that we put out the Roorkee Resolution; yet at the same time we took our measures which we believed would be calculated to render it more easy for natives of India in the ordinary sense of the word to come in and have the advantages of education in that College. When that Resolution was published, we received many representations that it would work hardly to those whom it excluded from guaranteed appointments. We sent forward these representations, and we felt bound to tell the Secretary of State we thought there was much justice in them. But what, we added, was the real difficulty is in this: from a variety of circumstances the number of guaranteed appointments being competed for annually has greatly decreased and it is not possible to open those appointments freely to the whole classes of statutory natives of India without risking to exclude one portion of them or the other. Therefore, we said, the true remedy for that is to increase the number of appointments, and then you can restore free competition among those whom the law calls natives of India. (Cheer). Well, it took some time to press our views upon the authorities in London, but we have at length succeeded in doing so; and next Saturday's *Gazette* while it

will increase the total number of guaranteed appointments to be given away, will once more freely open them to all statutory natives of India. (Prolonged cheering.) I may be permitted to say one word with respect to the address from a very limited body, the address which was presented to me by the native Christians to-day. I heartily thank them for it, and for their recognition of the impartial character of my administration. This brief sketch, gentlemen, of the work which we have been doing during the last four-and-a-half years does not cover the whole ground, but it is, I think, sufficient to show that during that not very prolonged space of time good and substantial work has been accomplished by the Government with which I have been connected. (Cheers.) But, gentlemen, you would be much mistaken if you were to attribute to me alone the work which has been done. Throughout the whole time of my Vicereignty I have received valuable support from my colleagues of the Executive Council. I have always acted in closest intimacy and most friendly co-operation with them, and on this, as upon other occasions, tender them my warmest thanks. It is not to them alone that my hearty thanks are due; and now as I stand upon the western shores of India, and shall quit this land for ever in a few hours, the time has come when I must express my grateful acknowledgments to those members of both branches of the services, and of all ranks, from whom I have received valuable assistance in so many ways. (Cheers.) And first and foremost here I must tender those thanks to you, Sir James Fergusson, (turning to the Governor amid loud cheers) for the cordial assistance and support which you have given me. Even in the midst of all the gratifying circumstances of a day like this, few words have been more pleasant than those in which you were pleased to recognise the friendly character of our relations. (Renewal cheers.) For that support in which your able colleagues have shared I shall feel ever grateful. I shall also recollect with gratitude the aid which many men throughout the country, who have at heart the interests of the natives of this land as truly as I have myself, have afforded to me from day to day. My work in India—not my work for India—I trust is done. There will long continue, and to them, under the control and guidance of that eminent, enlightened, and just statesman to whom it has been my great pleasure to hand over the administration, it is for you to turn. Having spoken of those with whom I have acted, I must say a word or two about those who have preceded me in the great office which I have had the honour to fill. The citizens of this great city in their address, for which I am so deeply grateful, used in the midst of their warm and friendly language some expressions which might seem to imply that they thought that I, and I alone, had brought into practical application principles which had hitherto been only observ-

ed in theory and formed part of solemn declarations. But, gentlemen the principles upon which I have acted, and which were laid down more than fifty years ago by authority of Parliament, have guided the policy and directed the action of the most eminent of my predecessors. The work of each Viceroyalty necessarily differs with the varying circumstances of the time. The tasks to which I have addressed myself have been those which have come naturally before me in the course of public business, and I have dealt with them in the same spirit as that which inspired the acts of Charles Metcalfe and William Bentinck, of Lord Canning and Lord Mayo—(Cheers.)—of John Lawrence and Lord Northbrook, and which so justly won for them a large share of the respect and the gratitude of the people of this country. (Loud Cheers.) Those great principles upon which the Charter Act of 1833 was framed, and in which I have a hereditary interest as the son of one of the authors and advocates of that Act—(cheers.)—England can never abandon consistently with her own honour and with a due regard for her noble reputation. They will ever guide the steps of Indian Viceroys, and you may rest securely beneath the shade of their protection. Gentlemen, in past history men have at different periods set before themselves different ideals of good Government. The greatest of Roman poets told his countrymen in words of glowing eloquence that it was their duty to create the habits of peace, to succour their subjects and to overthrow the proud. But according to my judgment, although that end was a noble and a high one, the aim of England ought to be nobler and higher still. It is true that she is bound in India to maintain unbroken peace, to succour the oppressed, and to restrain the proud, but she ought not to be satisfied although undisturbed tranquility reigns from Peshawar to Ceylon, and though her equal justice be enthroned throughout the land. If she is to fulfil the mighty task which God has laid upon her and to interpret rightly the wondrous story of her Indian empire, she must bend her untiring energies and her iron will to raise in the scale of nations the people entrusted to her care—(enthusiastic cheering)—and to impart to them gradually more and more the richest gifts which she herself enjoys, and to rule them not for her own aggrandisement, not yet for the mere profit of her own people, but with a constant and unwearied endeavouring to promote their highest good. She is bound to labour, she must labour, for their material advantage, but not for that alone; she must devote herself yet more to their intellectual development, to their political training (cheers) and to their moral elevation. It is thus, gentlemen, that I have understood the mission of England in India (loud cheers), and it is in this spirit that I have endeavoured to discharge the arduous task which four years ago was entrusted to my care. (Renewed cheering.) I am of course

only too well aware how little I have succeeded in reaching so high an ideal as this, but, nevertheless, I am not inclined to acquiesce in the criticism of those who say that during the term of my Viceroyalty no substantial work has been done. From that criticism I appeal to your verdict (cheers), and with that verdict I shall rest content. (Loud cheers.) Now, gentlemen, I have but one more duty to perform, and that is to tell you that I shall bear with me across the ocean those repeated expressions of deep and heartfelt loyalty towards our gracious Sovereign (loud cheers) which will be found in every address that I have received. I will lay them at the feet of the Queen-Empress as the tribute of her Indian children, and she will receive them with all the warm affection of her royal heart. I have no more to say to you, gentlemen, except once more to thank you from the bottom of my heart and to assure you that so long as it shall please God to continue to me health and strength to take a part in public affairs, I shall always esteem it one of my foremost duties, and my greatest pleasure, to labour to do to the utmost of my power anything which may tend to promote the welfare of the people of this land (cheers), from whom I have received so many proofs of attachment, and for whom I shall ever cherish a grateful and affectionate remembrance.

His Lordship having resumed his seat, their Excellencies shortly after left the Hall amidst loud cheers.

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## A PLEA FOR THE SPOLIATION OF INDIA.

( *Being a reply to Mr. Ashburner* ).

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IN the October number of the *Nineteenth Century*, Mr. Lionel Ashburner, late member of the Bombay Executive Council, has attempted in his usual pragmatical and peremptory tone to answer some of the more serious charges in the indictment brought against the Bombay system of survey and settlement by Mr. Seymour Keay in his second article on the 'Spoliation of India.' Mr. Ashburner even in retirement cannot divest himself of his official trappings or of the bureaucratic instincts, which have marred and stunted the growth of many an honest nature. Mr. Ashburner chiefly joins issue with his opponent on the following points. He questions the accuracy of the statement that the assessment of the land revenue is entrusted to the Survey department. According to Mr. Ashburner, the Survey department only collects and systematizes the materials, while the work of actual assessment is in the hands of the revenue authorities and of the local Government. The next point in which Mr. Ashburner finds fault with his opponent relates to the incidence of the land tax in this Presidency. While Mr. Seymour Keay describes it as a heavy rack-rent, absorbing not only the true rent, but a large portion of the profits, and occasionally trenching on the wages of labour, Mr. Ashburner contends that it is a very light tax, as it represents only 5 percent of the gross yield, and that, so far from checking cultivation, the settlement leads to its extension and improvement. Further on, Mr. Ashburner exposes the inaccuracy of certain quotations made by Mr. Keay in his support of the views of great Indian authorities, and winds up by denouncing Mr. Keay's conduct in this connection as shameless, and unscrupulous, his quotations garbled, and his references stale,

and not to the point. Mr. Ashburner next touches upon the vexed controversy of the right of the state to tax unused water facilities, which he defends with all the tenacity of a partizan and a bureaucrat. Further on, Mr. Ashburner defends the correctness and the value of the crop experiments going on for many years in this Presidency. Rising up to the height of his argument, Mr. Ashburner concludes his paper by the hyperbolic statement that the poverty of India is a myth, and that, as a matter of fact, there is less starvation in India than there is in England, and that while in India, famine occurs once in a decade, famine and starvation deaths are permanent and chronic factors of English life. We believe we have fairly reproduced all the points noticed in Mr. Ashburner's contribution to the discussion of this subject. We shall proceed in the following observations to examine the relevancy and truth of the several positions taken up by this forlorn hope of the department, and we shall as far as possible meet Mr. Ashburner on his own ground, and with his own weapons.

The first question we shall discuss is, whether or not, since the creation of the survey department, the work of assessment has been virtually and in practice made over to the discretion of experts, over whose conduct neither the district revenue authorities, nor the Government of Bombay, have any real control, and whether or not this department resents all regulation of its conduct by outside agency, and stands firm in its solidarity and special experience proof against all criticism. Mr. Ashburner makes much of the fact that the reports of survey officers are sent to Government through the channel of the revenue officers, but he omits to state, what is but too evident a fact to be gainsaid, that these officers are all but powerless in the matter, and that unless they fall in with the prevailing current, they are mercilessly brushed aside. The fate which attended Mr. Shaw Stewart when he stood up single in his advocacy of the rights of the

Mulwargdars in Canara, the fate of Mr. Havelock when he condemned the exactions of revision settlements, and of Sir W. Wedderburn and Dr. Pollen when they ventured to raise their voices in favour of a more moderate and considerate policy, are too fresh in the recollections of the people to need any comment of our own. But we are not content to rest the case on these individual incidents, so fresh in the recollection of every student of our recent settlements. We shall appeal to the authority of the Bombay Government, an oracle whose opinion even Mr. Ashburner will not venture to question, as being quite decisive on the point in issue. The Bombay Government in their letter No. 39 dated 10th December 1874 observe, that "under the system of Survey and Settlement which had gradually come into existence, there did not now exist, whatever might have been the original intentions, that interchange of views between the Survey and Revenue Officers in the early stages of the transactions, which is so desirable, and which may be regarded as one of the best guarantees for the soundness and equity of the operations. The Survey Officers carry on their duties in a position of perfect independence of the Revenue Officers. The lands are surveyed, the boundaries marked, the names of the occupants registered, the classification is made, and the *amount of rent to be paid by each occupant is fixed by the Survey Officers, without any authoritative intervention on the part of the Collectors.* (The Italics are ours). It is not till the process has been completed for a district, and the results are about to be reported for the sanction of Government, that for the first time an opportunity for offering an opinion is afforded to the Collector. *But it is then too late.* It is impossible for the Collector,—he has not the means even if he had the desire—then to review to any good purpose so great a mass of detail, and he can only make comments of a general nature on the grouping of villages, the maximum rates proposed, and the financial results." The Herculean

labours involved in Mr. Havelock's conscientious discharge of his duties is next cited by Government as an instance in point, and there is a frank admission that "the Survey Officers being intimately acquainted with the whole, and being prompted by the natural desire to uphold their own acts, and to establish the advantageous results of their labours, must have great facilities for controverting the objections of the Collectors." This same difficulty, the tenacity of a departmental agency to perpetuate itself, and overrule all inexpert criticism outside its body, has proved so powerful as to paralyze the hands, and even to secure a reversal of the policy, of the local Government. Sir Phillip Wodehouse's proposals for reform in 1874 were overruled by this same compact opposition of his subordinates. Even the Government of India's well-meant Resolution to bring to an end the work of this department is threatened by this same opposition, and there are already clear signs that the local Government has placed its conscience in the keeping of this Department, and reechoes the platitudes of *non-possumus* dinned into its ears on all sides. This same department in other Provinces succeeded in undoing by mere procrastination the proposal to extend the Permanent Settlement formulated by Sir Charles Wood in 1862, and reaffirmed in 1865 by Sir Stafford Northcote. It is unnecessary in our opinion to multiply these facts. We think we have established our point to the satisfaction of all impartial observers of our settlements, that Mr. Keay's condemnation is not half so pronounced as that of the Bombay Government, and that Mr. Ashburner has clearly misconstrued his instructions, and has depicted a state of things which has no existence beyond his own perverted imagination. The whole work of classification, valuation, and the settlement of the rent is absolutely left to the discretion of the Survey Officers, and the



superior authorities, exercise their powers only in special pleadings, intended to conceal their own powerlessness in the matter.

The next point on which Mr. Ashburner joins issue with Mr. Seymour Keay relates to the burdensome and exacting character of the land tax in this Presidency. As might be expected, Mr. Ashburner proves to his own mind almost to demonstration that the incidence of the land tax is about  $\frac{1}{2}$  of the gross produce. On this point, it appears to us that there are two preliminary misapprehensions which always surround the discussion of this subject, and which must be clearly exposed and removed if the discussion is not intended to move round itself in a vicious circle of fallacies. We feel satisfied that, if once a clear understanding be arrived at in regard to them, the sleight of hand and plausible special pleading, which are so often practised by the defenders of the existing system, will become impossible, and the naked truth will become self-evident to every impartial student of the subject. The first of these misapprehensions relates to the faulty test adopted by which to measure the incidence of the land tax. When it becomes necessary to define the true character of the land revenue, there is no hesitation felt on any side to make it out to be, in the words of the famous despatch of the Court of Directors of 1856, "not a true rent, which consists of all the surplus produce after paying the cost of cultivation and the profits of agricultural stock, but a land revenue, which ought, if possible, to be so lightly assessed as to leave a surplus or rent to the occupier, whether he in fact lets the land to others, or retains it in his own hands." The binding force of this definition has been repeatedly acknowledged by the founders of the Bombay system of revenue assessment, and when Act 1 of 1865 was passed, the Bombay Government gave in its full and unreserved adhesion to it. If this be a correct definition of the right of Government to share in the produce of land, it

follows that the test of measuring the tax in its proportion to gross produce must be abandoned. The tax must be regarded as light or heavy in its relation to the true rent or letting value of land, or at least to the net produce which remains after paying for the cost of labour, and the profits of agricultural capital. No man of business will consent to measure his profits by his gross earnings, but will always insist that the expenses must be deducted, and we fail to see what possible advantage can be secured by adopting a different rule in the case of the many millions of agriculturists who constitute the vast mass of our population. The importance of bearing this distinction in view is self-evident. The poor peasant who cultivates his land must live, he and his family must maintain themselves during the period that they are engaged in tillage, they must buy the seeds, and manure, and keep alive and renew their live and dead stock, not taking into account the interest on capital borrowed by them. These charges must be deducted before the real pressure to the tax-paying occupant of land can be approximately and equitably ascertained. We admit indeed that the Bombay system is not amenable to such a calculation to the same extent as the systems in other Provinces, where the tax is professedly apportioned to the letting value of land, as in the N. W. Provinces, Central Provinces, and Punjab, or to the net produce of land as in Madras, but this only shows that the system is faulty, and not in keeping with the professed principles of the settlement. We may under these circumstances fairly expect that its advocates will at least not exaggerate the evil of a faulty system by entering upon practical calculations which prove nothing, or next to nothing, in regard to the real incidence of the land tax. The customary proportion which the expenses of cultivation bear to the gross produce is well known throughout the country, and varies from  $\frac{1}{2}$  in inferior lands to  $\frac{1}{3}$  in superior lands. When the registered owner lets his land to others, he generally shares half

the produce of inferior land and pays the assessment himself, while the actual cultivator takes the other half. In superior lands, this proportion is somewhat larger. When this fact is fairly realized, the mischief attendant upon the adoption of the fallacious test will be clearly understood, for it brings down at one leap the so-called 5 percent on gross produce to 25 percent on net profits. The next misapprehension which we are anxious to remove relates to the fact that, as far as the original settlements in this Presidency are concerned, no complaint has been raised about their oppressive character or heavy incidence. The whole controversy owes its birth to the period posterior to the commencement of revision operations, and it is only in regard to these latter that the popular outcry has been raised. It can, therefore, serve no good purpose to seek to justify revision operations by appealing to the encouragement and extension of cultivation consequent upon the advisedly light assessments of those who introduced the settlements in the first instance. Not that the old system was not faulty in many respects, such as the absence of any outside correcting standard, the small number of the gradations in bad soils, and the tax on old wells. These faulty features however have no bearing upon the present discussion, which relates to the uncertain and excessive enhancements of the revision settlements. The controversy relates to these comparatively recent operations, which have a living interest, while the old settlements have now become a matter of past history, and no useful purpose can be served by confounding the two together unnecessarily.

Adopting then the correct test of apportioning the land tax not to the gross but to the net produce, and confining our study to the revision settlements, Mr. Ashburner's laboured apology will be found to be one tissue of untenable positions, condemned alike by outside public opinion, and by the more regulated language of official critics. It is hardly

necessary for us here to more than refer the reader to the unanswerable criticisms of the late Mr. Lyon, Mr. Carpenter, and Sir Auckland Colvin, the members of the Deccan Riots Commission, appointed by Government. These members affirmed in the words of the Secretary of State's despatch No. 4 dated 17 March 1880, "that the revised assessments of the land revenue in this Presidency were too heavy, and that the manner of assessment was faulty." It is true the Bombay members of the Riots Commission did not go the whole length of this condemnation, but they also affirmed that the rigidity of the assessments has had a considerable part in accentuating the crisis which rendered the appointment of a Commission necessary. The Government of Bombay under Sir Richard Temple refused even to go so far, but it is well-known that in this matter, the policy of the Government of Bombay has varied with the predilections of each individual Governor. Sir Richard Temple's notorious tendency to self-glorification can alone be held accountable for the turn he gave to the discussion, but on this point, his authority, great as it undoubtedly is, did not find acceptance either from the Government of India, or the Secretary of State. Sir Richard Temple's immediate predecessor was certainly a more conscientious and pains-taking ruler, and it is well-known that, even before the famine with all its awful horrors had devastated the land, and paralyzed the people, Sir Phillip Wodehouse had not only condemned the policy of the recent enhancements, but in his memorable Resolution of 29th October 1874, he had enunciated with a rare and deep insight into the realities of the situation the principles of the reform which, although it was at the time dissented from by the Government of India, yet by a curious irony of fate so characteristic of Indian statesmanship, Lord Ripon's Government has done its best to emphasize, and carry out against the hesitating adhesion this time of the local government. Sir Phillip Wodehouse did not stand alone in the policy he adopted of condemn-

ing the recent revisions as excessively heavy, and based on wrong principles. Mr. Pedder, than whom no more competent witness can be adduced, in his celebrated 'Note on recent enhancements,' came to the conclusion, after an elaborate review of the revised settlements up to date, "that the enhancements of assessment already made were far too great, and that Government might with advantage lay down that the enhancement on a revision settlement in the total demand on any Taluka should not exceed 25 or 30 percent." Mr. Havelock almost sacrificed his valuable life in the public service in his strenuous fight against the then prevailing tendency to screw up assessments to the highest pitch. Finally, the Secretary of State pronounced strongly against this policy when the matter went up to him. Sir R. Temple, who was presiding over the Government of Bombay at that time, laboured hard to make out a case for continuing the policy of unhampered enhancements, in total disregard of the moderation advocated by his predecessor. The Secretary of State very naturally expressed his surprise at this change of front. He had expected "that in consequence of the famine, the Bombay Government would have proposed to go even further than Sir P. Wodehouse in enforcing upon the department a policy of moderation." The reverse, however, appeared to be the case, when Sir Richard Temple advocated an increase of more than 40 percent, as justified by the advancing prosperity of the country. Not being satisfied with the reasons, but feeling himself helpless to interfere for good after the settlements had been introduced, the Secretary of State simply contented himself with strongly directing the attention of the local authorities to the subject. Sir Richard Temple was, however, not the man to lack for arguments, and again advocated the high pressure system, but this time the patience of the Secretary of State was fairly exhausted, and he reminded the local authorities that "an enhancement in arithmetical

proportion to a rise in prices is not necessarily just, if it encroached upon the share of the produce which has become habitual to the subsistence of the cultivators." The Jesuitical argument, that the enhancement in the case of each individual cultivator would be inappreciably small, was disposed off more summarily by the counter-position that "an enhancement, which appears insignificant when shown as a rate per acre, may be a sensible, and possibly injurious, addition to the total burden of the country." The special pleading by which Sir Richard Temple had satisfied himself that his predecessor's Resolution of 29th October 1874 was intended for the districts of Poona and Sholapoor alone, was thrust aside, and it was laid down that the spirit of the orders should be borne in mind in dealing with the revision operations generally," and that the Secretary of State desired that "the policy of moderation should be carried still further than was contemplated by Sir P. Wodehouse." This array of the highest authorities will carry conviction to every impartial observer, and we trust, when Mr. Ashburner next stands up in defence of this policy so universally condemned he will realize the fact that he has greatly mistaken his instructions.

Taking these official utterances of the highest authorities for our guide, let us now see how far the recent enhancements of the revised Talukas stand the test adopted by Mr. Pedder, and which in his opinion could not be extended without injury to the interests of the material prosperity of the agricultural classes. It will be remembered that he recommended a limit of 25 per cent as the highest which an investigation of prices, and a comparison of the advance made under former settlements, would justify. We give a statement below of the increases in the principal districts during the past 15 years.

Districts.	No. of Villages.	Revenue last year of old settlement.	Revenue first year of new settlement.	Percentage increase.
		Rs.	Rs.	
Poona. 6 Talukas.	377	477,378	643,021	34·7
Sholapoor. 5 Talukas.	466	556,107	782,615	40·7
Nasik. 8 Talukas.	567	496,078	687,785	38·6
Ahmednagar 2 Talukas.	96	133,374	175,109	31·3
Kaladgi. 5 Talukas.	472	545,749	690,211	26·4
Dharwar. 7 Talukas.	755	807,621	1,198,388	48·4
Total.	2,733	3,016,242	4,177,729	38·4

The average increase in the forementioned six Deccan Districts in consequence of the enhancements on revision operations has been thus nearly 40 percent, which exceeds the specific instructions of Sir P. Wodehouse, confirmed as they were by the authority of the Secretary of State, and the estimate made by such a competent expert as Mr. Pedder. In order to have a clearer idea of the abnormal character of these increases, we must bear in mind that the percentage of increase is calculated on the revenues realized in the last year of the old settlements. If we take the figures for the first year of the old settlement, the contrast will be more strikingly realised between the collective burden of the land tax in the first year of the old, and the first year of the new settlements. It has been officially stated that in fourteen districts of the Presidency, comprising nearly 30,000 square miles, the total assessment was Rs. 1,40,00,000 in the year preceding the first settlement, and that by

a process of gradual expansion during the currency of the said settlement this figure rose in the last year of that settlement to Rs. 1,73,00,000, or an increase of 23 percent. When this increase is added to the enhancement of 38 percent caused by revision operations, we have the fact strikingly brought out that, during the last 30 or 35 years, the land revenue of this country has been raised 60 per cent in so far as the revised districts are concerned. A still more noticeable fact remains to be recorded, namely, the difference between the collections of the native Government, and those which are now paid into the British Treasury as land revenue. We have this information available only for the three Gujerathi districts of Ahmedabad, Kaira and Broach. It appears that in 1824, i.e. five years after the conquest, the realizations were nearly 40 lacks spread over an acreage of nearly 10 lacks, while 50 years after, the corresponding figures were 59 lacks of Rupees levied from an assessed area of nearly 19 lacks of acres. Of course no-body has complained of the fact of this natural increase of 23 per cent. It is a fair and legitimate reward earned by Government for the peace and order ensured by it. But when Government is not satisfied with this natural increase, and strains its rights to add at one sweep 40 per cent enhanced revenue, it is time we think that the plain truth must be spoken. We know Mr. Ashburner, like all settlement officers, seeks to make out a case for increase by citing the usual increase of population, carts, thatched houses, and cattle, and the influence of higher prices, as reasons for justifying the forty percent increase of assessment at the time of revisions. But the fact appears to us to be invariably lost sight of that all these agencies fairly exhaust themselves in the assured interim increase of 25 percent secured to Government by the spread of cultivation, and the increase of population. They cannot justly be counted upon to render a double service, and justify 40 percent further enhance-



ments. Since the date of the famine, even this weak prop has been knocked from behind the arguments for unchecked enhancements in the Deccan. The results of the two census of 1872 and 1881 have made it but too plain that the country has made no progress in population, the increase of the first 20 years having been mostly absorbed by the mortality of the famine. At any rate population has remained steady during the last 10 or 12 years. As regards the second ground of extended cultivation, it is quite plain to those who are acquainted with the true condition of the country that it is not so much a *bona fide* extension of cultivated area, as an extension of assessed and technically occupied area rendered necessary by the stringent forest rules regarding the grazing of cattle. Even taking the figures at their best, what do they signify? The following statement will show the difference between the arable and unarable area under the old and revised settlements.

Districts.	OLD SURVEY.		NEW SURVEY.	
	Arable Acres.	Unarable Acres.	Arable Acres.	Unarable Acres.
Poona.	996,515	226,347	1,110,796	225,089
Sholapoor.	1,290,005	169,762	1,414,579	138,631
Nasik.	935,049	299,111	1,037,875	267,516
Nagar.	485,108	125,504	522,638	108,057
Dharwar.	1,563,795	398,558	1,586,289	372,167
Kaladgi.	1,270,091	140,082	1,372,499	77,280
Belgaum.	169,940	61,202	170,347	61,688
Total.	6,710,503	1,420,566	7,215,023	1,251,428

This statement well merits careful study. It will be seen that while the arable area or, rather as we would

put it, the assessed area has risen by 5 lacks, the decrease in the so called unarable land, which ought to be in exact proportion to this increase, is only 169,000. The missing 3½ lacks are entirely made up by the assessment of *pot kharab* lands which, under the first settlement, were exempted from assessment, and have now been taxed for the first time. Taking, however, these figures as they are, this statement shows that a great deal too much is made of this so-called extended occupation of land. The real extension has been only 5 lacks over a total of 67 lacks, or less than 14 percent, which, as we have shown above, is amply covered by the 23 percent increase already secured. It must strike, even the most superficial student that, when this so called extension is made to do double duty, and serve not only as a justification of the 23 percent already secured, but is pressed into service to justify an enhancement of 38 percent, the survey department calculates too much upon the gullibility of a too patient public whom it expects to blind by such a travesty of facts. Another test of increased material prosperity, namely, a large increase of cattle, also breaks down on closer inspection. The famine and the forest laws have done their work here effectively, and the fact of a sensible decrease of cattle is now so notorious that the survey department has had to resort to the explanation which Sir R. Temple first put forth, that the unserviceable cattle alone have diminished because people have learned to be prudent in this matter. We have at hand the figures for the Dharwar and Belgaum collectorates, and these show that in Hubli and Navalgund, the numbers of working cattle have fallen off from 24,000 to 22,000, in Dharwar Taluka from 22,500 to 16,000, in Nurgund from 3,775 to 2,546, in Mulgund from 6,539 to 5,265, in Parasgad (Belgaum district) from 21,000 to 14,000, and over 20 Talukas selected from three of the most thriving and cotton-producing districts, the number of working cattle had fallen in 30 years from 220,000 to

210,000, while the acreage under cultivation had increased, and the pressure of population on land caused by the decay of manufactures had also increased, by nearly 50 percent. The last test of increased prosperity is the alleged increase of prices. This is a varying and inconstant factor, but it will not require any very laboured argument to show that prices have not recently shown a steady tendency to rise. It is now generally admitted that notwithstanding the famine and the increase of communications, prices have shown a decided tendency to a fall during the last 15 years. This fact was forced upon the attention of Sir P. Wodehouse's Government in 1874, and it led that Government at the time to make its first announcement of a departure from the till then favourite policy of justifying enhancements on the strength of an assured prospect of high prices. Since then, this tendency has repeated itself whenever the harvests proved more than usually abundant.

We have thus discussed all the facts of the situation with the help of the latest information available, and we now put it to the intelligent reader to judge for himself whether, under these circumstances, a policy which, while retaining in full the increase of 25 percent of the total revenue secured during the currency of the settlement, sanctions an addition of 40 percent when revisions take place, can deserve any other name than what Mr. Keay has called it, as a rack-renting policy. It can serve no good purpose to show percentages of occupied areas and the increase per acre. These are only weak shifts and subterfuges of a desperate cause, which will not bear the light of cool discussion. What other industry will thrive under such disadvantages and burdens? And is it any wonder after this that the peasantry need the protection of a Special Act, and emigrate by thousands when the slightest pinch of distress is felt, and die in lacks when a famine overtakes the land. Mr. Ashburner has, by an ingenious calculation, tried to

show that the pressure of taxation on gross produce is 5 percent. The Famine Commissioners put it down as rising as high as 7·8 percent. Mr. Pedder, after a most elaborate calculation, raised the figure to 9 percent. The Bombay Government, in one of its despatches, admitted that the general effect of enhancements was to raise assessment to 10 percent of the gross produce. We have already shown that this way of testing the incidence of the land-tax is faulty in the extreme. The test of a fair land-tax approved by successive Secretaries of State, namely, of assessing the land so as to leave half the net profits or half the letting value of land to the cultivators, would at once raise the ten percent on the gross produce to a tax of 60 percent on the net profits. In the famine-stricken zone of the Deccan districts, the average yield is between one and two Maunds, the expenses of cultivation 50 per cent of the gross yield, and of the remaining 50 per cent, the Government takes more than 25 per cent for its share, whatever might be the condition of the season. If this is not rack-renting, we fail to see what rack-renting can be. We arrive at the same conclusion in another way. The total value of the agricultural produce of British India has been estimated by the Famine Commissioners at 350 crores of Rupees for a population of nearly 20 crores. The population of this Presidency under British rule is about 1½ crores. This calculation would show that the value of our agricultural produce cannot be much above 20 or 25 crores. A land-tax of nearly 2½ millions is thus 10 percent on the total produce. Allowing the necessary deduction for the subsistence of 60 percent of the population, which is the proportion of agriculturists, at 20 Rs. per head, we have a margin left of about 5 crores of net profits, out of which the Government takes more than half for its share. We have been unwillingly led much further than we had intended in exposing the hollowness of this portion of Mr. Ashburner's critique on Mr. Seymour Keay's in-

dictment. When this fact of a heavy land tax is taken along with the consideration that at least  $\frac{1}{3}$  of the revenue is sent away abroad, and furnishes no occupation to the poorer classes, the gravity of the situation will be better realized. Mr. Ashburner's statistics of cotton cultivation really prove nothing. He might as well have taken the figures of sugarcane cultivation, and based his conclusions on them as regards the incidence of the land-tax generally. The cotton crop is the most valuable dry crop, and to infer from the returns of its yield over one tenth of the cultivable area the average incidence of the land tax over the other nine tenths area of Bajri and Jwari crops, can only result in confusion worse confounded.

We shall next proceed to discuss the question of garbled quotations in which respect Mr. Ashburner has made a mountain out of a molehill. He has cited two instances with only one of which we can deal here, as we have not the materials for correcting his remarks about the Madras Civilian, Mr. Gribble. The other quotation refers to Sir Bartle Frere, and Mr. Seymour Keay is taken to task for having shamefully misquoted the opinions of the Ex-Governor. We are in a position to show that in this matter it is not Mr. Seymour Keay who is at fault. Sir Bartle Frere in one of his confidential minutes, published as an appendix to the Famine Commissioners' report, has stated emphatically that the land revenue is in some provinces a true land tax, i. e. accurately fixed according to known rules at a certain proportion of the true rent, or annual letting value of the land. In other places, it is a land tax, fixed more or less arbitrarily, and absorbing a varying proportion of such rent. In regard to its incidence, "it is either a quit rent, or a full rent, or a rent and something more, sometimes trenching on the wages of labour, or the profits of capital." Sir Bartle Frere goes on to state that, "with the exception of an infinitissimally small area, a true land tax is practically unknown in India. The

greater portion of Indian land revenue is a tax fixed more or less arbitrarily, and absorbs a varying proportion of rent." In his concluding observations, Sir Bartle Frere freely admits that "the process of limiting the Government demand to a true land tax would certainly greatly reduce the land revenue in most parts of India," which in other words is a paraphrase of the fact that the land tax is a heavy and exacting, if not a rack-renting, demand. We leave it to the reader to satisfy himself whether the guarded utterances of Sir Bartle Frere do not mean more than the words literally signify, and whether on the whole they do not bear the construction which Mr. Seymour Keay put upon them.

We shall not follow Mr. Ashburner in his laboured defence of the action of Government in the matter of taxing the latent water-supplying capacities of assessed lands, which is now in so much favour at head-quarters here. We have fully discussed this subject in one of our recent issues, and we think no amount of special pleading can get over the fact that the present action of Government is in direct opposition to its own former declaration, and is subversive of the stability of settlement, which is the vanuted boast of the department. We can see plain signs that, in this new departure, the department is securing a new lease of life to itself to ward off the doom pronounced against it by the highest authorities in India and in England. We shall only quote here for the information of the reader a note of warning conveyed by no less an authority than the Secretary of State on this very question. The Bombay Government had in their letter of May 1880 attempted to meet the arguments of Lord Cranbrook's despatch of December 1879, in which the policy of raising the assessment by 40 per cent increases was strongly condemned, and in the course of this letter the Local Government pointed out that they calculated on an increase of 33 per cent of revenue from the soil alone, and "some considerable fur-

ther increase" from the further utilization of the water supply, not from the P. W. Canals, but from Patasthal. As might be expected the Secretary of State could not let this remark pass unnoticed. He observed that "to raise the soil rates as much as may seem fair, and afterwards to impose a further addition of demand for other reasons, may easily cause over-assessment on the whole," and he directed that the local Government should take into account these and other circumstances "in considering the extent to which the total revenue of the Taluka or village may justifiably be enhanced." In this same Despatch, the Secretary of State expressed his deliberate opinion that "he was unable to satisfy himself that there had been no tendency on the part of the Settlement Department towards undue enhancement of assessments on revision."

The warning thus given in regard to the policy of taxing the soil first as soil at the highest dry crop rates, and then putting on Patasthal or additional water rates, applies with equal or greater force against the plan now proposed of taxing the soil first as soil, and then putting on an addition, euphemiously called "scarcely noticeable," on account of its supposed latent water-bearing capacity. In the words of the Secretary of State, this scarcely noticeable, or, as Sir Richard Temple put it, inappreciable, addition spread over a large area, though it is inappreciable in detail, represents a large total drain on the agricultural industry of the country. This controversy has not yet closed, for the Secretary of State has not yet had his say on this new departure, and we think there can be little room for doubt that, if the matter is fairly placed before him, this latest idea of the *un*-Settlement Department will meet with its well merited condemnation, notwithstanding all that Mr. Ashburner and the Department may do to mystify the issues raised. Mr. Ashburner himself does not appear to be *en rapport* with this recent development of economic fallacies; otherwise he would not have flatly contradicted Mr. Seymour Keay when the

latter observed that the local government proposed to impose in addition to maximum soil rates, (not garden rates) a scarcely noticeable addition on all neighbouring lands on account of water capacities, whether or not the holders of the lands derived any benefit from those capacities. It may be, that in his time such a proposal would have rendered the officer proposing it liable to dismissal, but there is a new Pharaoh in the land, and Mr. Ashburner will be surprised to see that such a proposal has been made seriously, and is defended with all the ingenuity and prestige of the highest authority in the Presidency.

As regards Mr. Ashburner's protest against the strictures passed by Mr. Seymour Keay about the faulty system on which the crop experiments are conducted, we think it is enough to say that Mr. Ashburner is not correct when he asserts that these experiments, except in a very few special cases, are conducted in regard to the produce of whole fields. The areas selected are never more than a few guntas, and these guntas are selected from the best portion of the field, and this result is then multiplied by as many times as the whole field exceeds the small areas specially selected, without allowance for errors or deficiencies. This faulty system has been so thoroughly exposed by Sir W. Wedderburn that it will be labour thrown away to slay the slain. The student may study for himself the official reports, if so inclined, and he will hesitate to put implicit faith in Mr. Ashburner's emphatic denials.

Lastly, Mr. Lionel Ashburner stands so singular in his opinion that famine and poverty are essentially mild evils in India, and that the so-called rich and civilized England suffers from worse types of these disastrous plagues, that we fear we shall simply insult the common sense of the reader by seriously putting forth a refutation of such paradoxical views. When one year's failure of crops kills out 60 lacks of men, notwithstanding an expenditure of 16 crores on relief works and charity; when  $\frac{1}{3}$  of the population, according



to Dr. Hunter, the Director General of Statistics, are actually half starved in the best years ; when the normal expenditure on each person is so low as Rs. 20 even by the most optimist official calculation ; when the taxation of Rs. 2 per head presses more heavily on the population than ten times that amount is found to do in England ; when the volume of import and export trade represents only  $\frac{1}{25}$ th of the ratio it bears in the United Kingdom to the population ; when the income tax of a penny in the Pound yields many times as much in England as a Rupee in India with 5 times the population ; when a second rate town like Oldham has more mills and steam engines at work than the whole continent of India put together ; when the rates of wages are almost ten times higher than those in this country ; when the annual volume of production is 15 times as large as that in this country, and of savings 50 times more than the corresponding figures for this country ; when the contrast is so striking and complete, how can the two countries be mentioned in the same breath ? The smallest accident in the public streets of London attracts more notice than the disappearance of many millions perishing from fever and starvation in this country. England maintains a rigid system of poor laws in a spirit of active and organized philanthropy. If India dispenses with this need, it is not because she is rich, but because her old-world notions have made universal charity the chief duty of a citizen and house holder. Never before were facts so heartlessly travestied as in the concluding sentences of this most remarkable defence. Mr. Ashburner clearly mistook his mission when he volunteered to be the forlorn hope of this long continued controversy, and it is surely a marvel that one who occupied so prominent a position in the Anglo-Indian hierarchy should not choose to maintain the golden rule of silence, and seek to bring the whole system which he represents into discredit by a parade of his superficial paradoxes, which cannot possibly deceive any one, but which only emphasize the truth of

the maxim rendered classical by Mr. Carlyle, with how little wisdom the world can be ruled and flogged into order by make believe statesmen and self-satisfied bureaucrats, who burst like bubbles when the least unfriendly touch turns them upside down.

## **"THE NATIVE STATES OF INDIA AND THEIR ARMIES."**



The departure of one Viceroy and the incoming of another as his successor in office are events which naturally create an immense flutter of excitement among all classes of people, both here and in England. This feeling of intense excitement and eager expectation of a change in the Viceroyalty, leading necessarily to a change of policy, can alone account for the periodical re appearance of old controversies, and the untimely revival of many exploded fallacies of extreme partisans, who resemble the old village school-master depicted by the humour of *Oliver Goldsmith*

"For e'en though vanquished  
(they) could argue still."

Lord Ripon's just and beneficent rule gave no scope to the re-actionary crotchets of those who pride themselves on being the advocates of a so-called imperial policy, and who seek, under cover of misplaced philanthropy, to disintegrate all the vital forces and the centres of historical continuity in the country, regardless of all the repeated pledges given by Parliament, and the binding force of treaties. As the bats and owls of the Indian forest come out when the sun goes down, these croaking prophets of evil raised their cry of lamentation and warning against dangers which exist only in their dreams, as soon as the change in the Viceroyalty was announced. Just 5 years ago, under the Viceroyalty of Lord Lytton, the cry of danger to the British Empire from the over grown armies of native states was raised here in India. Fortunately at the time the Afgan war broke out, and diverted official attention from this supposed danger, and, much against their wish, the Millitary Authorities in India were led by the course of events to utilize for garrison duties and services these same armies of the

frontier Sikh states. The question was thus allowed to sink into oblivion, and during the last 5 years nothing was heard about this insidious suggestion.

As soon, however, as the announcement of Lord Ripon's early retirement was made in England, the *London Times* gave prominent place to a series of articles on the subject of "the Native States and their Armies." From the manner in which this correspondent of the *Times* has handled this subject, and the acquaintance he shows with the most recent occurrences in some of the Native States, we may reasonably infer that he is in all probability a high official himself, or at all events a gentleman inspired by the Indian Foreign Office. His chief object, in reviewing the history of most of the Native States in India, is professedly stated to be the suggestion of a better re-arrangement of the relations of these states with the Paramount Power. He makes no secret of his conviction that the large armies maintained in some of these states are a source of danger to the empire, and a burdensome exaction to the subjects of native states, in whose interests their reduction on a large scale is justified. In a more covert manner, the text of the "inherent incapacity" of Asiatic races for ruling independently is advocated in a spirit which brings to our mind the fearful days of the annexation policy of Lord Dalhousie. It appears that this view of the matter has recommended itself to the *London Times* which of late years has made itself the mouthpiece of the repressive school of Anglo-Indian statesmen, and has lost touch of the genuine public feeling of the great English people. At the time when the subject was first started, we discussed it at length in this *Journal* for April 1879, and we were inclined at first to pass over this second edition of an exploded fallacy in silence, but as the affairs of India and of its Native States are now viewed with reference chiefly to a new condition of things that did not exist before to any appreciable degree, we mean the near approach of Russia to the Indian frontiers on one side,

and that of France on another, and as the views that have lately found so much place and favour with the *London Times* are advocated publicly by some persons holding high posts in the "political" service under the Government of India, and secretly by others of distinction in the military service of the Empire, and as it is believed, (with what truth we know not), that the opinions of these latter gentlemen have found expression in some book or pamphlet privately, but extensively, circulated, and that a journal of some weight and importance was recently carried away by these representations to write the most alarmist articles on these supposed dangers to the stability of British rule in this country, it will not be amiss to review what the advocates of this new policy, if it indeed be a new policy, have to say in support of their contention. Besides it is in the fitness of things that a disease or malady, which shows itself so often, needs be castigated and put down as often as it raises its head.

That there is some thing sinister in the motives, which prompt the writers and correspondents of the stamp of those of the *London Times* to undertake this crusade, is obvious not only from the many sins both of omission and commission they wilfully commit for purposes of misrepresentation and distortion of facts and things, but also from their tendency, which their best endeavours at concealment but ill disguise, of catching, like drowning men, at every straw that may float above the surface, and of enlarging upon and making the most of every trifle that can, by hook or crook, be pressed in the service of their argument against the Native rulers and their so-called armies. The "inherent incapacity" of Africans and Asiatics in general—at all times, and under all circumstances, to rule well, is, in the estimation of these writers, proved, nay made as clear as noon-day sun, if a petty Native prince, in one of the least civilized and least known parts of Central India, is shown to have hesitated, under the pressure of strong religious sentiments that have in this coun-

try survived the lapse of ages, openly to sanction the execution of a rascally Brahman, or if, under the accumulated force of the "despotism" of centuries on the one hand, and of the demoralising effects which invariably set in in most cases from the system of supervision by the British Political Agents in the "protected Indian States" on the other hand, he is shewn to have on certain occasions blown hot and cold, and betrayed some inconsistency of conduct; or if, living himself in a house of glass, he is shewn to have indulged in the certainly not very dignified or useful pastime of throwing stones at those that were similarly housed. Conduct such as this may be really contemptible and pitiable in an independent ruling chief, and possibly may not merit the approval and admiration of honest, right-thinking men. Yet it must be clear that this cannot suffice to condemn a whole nation, or even a class of people, as it would be difficult to name any large body of people in which some, if not many, of the ordinary individuals composing it, may not be exact counterparts of the unhappy specimen of humanity above portrayed. What may be common enough in any society is, by the very conditions of their existence, commoner still in the case of the hereditary rulers of Native States. Apart from this consideration, we have to remember that the above picture is drawn by a British Resident of a Native Rājāh, and that we have yet to see how a Native Mahārājāh like that of Travancore, or an Indian Rājāh and statesman like Sir Dinkar Rao, or Sir T. Madhawa Row, or the late Sir Salār Jung, would paint a British Agent or Resident at a Native court. We have yet only before us the man painting the lion; but we have still to see how the painting of the man by the lion (supposing of course that the lion could and would venture to paint truth-fully) would be like. Though we have not come across a sketch of a British Agent at the court of a Native potentate drawn by a Native Writer, yet we have read much about him in

the columns of an English contemporary, and that does not help us to present him before the world in any very loveable or enviable light. There possibly may be some little exaggeration in those writings we speak of. But we believe we are within the mark, and not very far from the truth, when we say that it is impossible to be favourably impressed not only with the rank and file of the Indian political service, but even with some of those who occupy the very highest posts in it. The whole system of British political Agencies at the courts of Native States, being entirely unsuited to the altered circumstances of the British Indian Empire in these times, is now rotten and vitiated to the core, and has become so demoralized that it cannot but exercise the most injurious effects on the administration of the country. It necessarily makes the Native States, subject to its control, effete and inefficient, and the British political service itself inconsiderately despotic, and incapable of properly dealing with questions which may require from its officers tact and temper, and a keen perception of the fitness of things. It is true that at one time this service gave the Government some of its most trusted and valuable officers. We know that Elphinstone, Malcolm, Munro, and Metcalf &c., had all at some period in their career received training in its ranks. But the conditions then prevailing in the country were, we believe, favourable to the development, in some measure, in its political officers, of those virtues which men value and admire in their administrators. Those conditions have now entirely changed, if they have not ceased to exist altogether. The political officers in those days had to do with real states, i. e. with states that still retained sufficient vitality to shape the course of their own policy, and determine the march of events. Now all these conditions are changed. The chiefs and the states are not what they then were. And yet Government has never thought of organising its political service to suit the requirements of this new state of things. The

Residents are no longer ambassadors and military commanders, they partake more of the character of spies and Police watchmen, and yet their actions do not see the light of day to the extent it would now be not only safe, but necessary, that they should, nor are complaints about their actions investigated and scrutinised as those of the officers of other services, from the now wholly absurd fear of weakening what is called their "prestige." Under these circumstances, it is no wonder that the British Political Agents have become the "spoilt children" of the English rule, and that the relations which they maintain with the Native states are pre-eminently unsatisfactory, and require to be early re-adjusted in the interests of good policy and justice alike. Every one must expect to reap the consequences of his actions. None can be tyrannical and thoughtless, dishonest and indifferent to the real good of those under his charge, without being himself dragged down and injuriously affected by the consequences of his conduct. Man cannot even tyrannize over women or children or over even dumb cattle, without making himself in his turn a slave by the very force of his own actions. This is a universal principle, and no crooked plans—never so cunningly devised—shall avail in any degree that may have been based in contravention of this Divine law. No sane man can expect to reap anything but the whirl-wind after having sown the wind, and no one can expect to earn confidence unless he has first given confidence. Viewed in the light of these natural truths, we are decidedly of opinion that the relations of the paramount English power in India with the semi-independent Native States, as they have been hitherto carried on by the "Political Officers" of the Government of India, whom we have advisedly called the "spoilt children" of the English rule, (un-revised as the numbers, the rules, and the traditions of their office have ever remained since the establishment of the English power in India), must be re-adjusted, if the good will and gratitude of the Native Princes



and their subjects is to be reckoned on as an active factor in the defence of the Empire against a powerful European invader. The Political Agent at a Native Court must be now above all a sympathetic but firm friend and philosopher to the Native administrations under his charge, and not the cunning and insincere diplomatist, or the spy and the covert enemy he often is—one who laughs in his sleeves when the Native ruler commits mistakes, or is led astray, and after giving him a sufficient rope at it were to hang himself, comes down upon him as an avenging hangman—it may be to prove his preconceived and oft-repeated ideas about the “inherent incapacity” of any but the officials of the English Government to rule well. It is indeed high time now that the necessary task of the readjustment of the conduct of the relations subsisting between the “feudatory” Native states and the ‘paramount’ English Government, should be undertaken in a spirit of deep loyalty to the throne of Her Majesty the Queen of England and the Empress of India, and in a spirit of practical benevolence to Her Majesty’s subjects in British and Native India. We firmly believe that this readjustment is possible without unduly, if at all, encroaching upon the independence of the Native administrations, or any unlawful interference in their affairs. We have before this shewn in this Journal in our article on the “Constitution for the Native States” how this reform could be achieved. That such a reform will be now not a day too early is what we freely concede. Here we are on all fours with the correspondent of the *London Times*, whose utterances about the Native States we mean to criticise further on, and before concluding we shall suggest a plan of our own which, we hope, will achieve the desired success, and which we confidently believe will be alike just and advantageous to all the parties concerned.

The protection and the preservation of the British Empire in India is a matter of vital importance to the Natives of India as much as it is, or ever can

be, to the majority of the Natives of the British Isles themselves, and, notwithstanding what the *Pioneer* and people of that class may be pleased to say about the value and the usefulness of the efforts of native gentlemen—even of Sir T. Madhwarow's extensive experience, learning, and ability—in this direction, we must put our shoulders to the wheel, and contribute our humble mite towards the extrication of this question from the mire of vague fear, unreasoning mistrust, mystery and jealousy in which it has been involved.

A hundred years ago, India was divided against itself, and was a prey to disorder of every sort, and subject to the worst passions of every adventurer—Native and foreign—who could bring together a body of armed followers, and there seemed apparently no near prospect of the termination of her miseries, when God in His wisdom confided her destinies to the strong protecting and organizing hand of England, and ever since, both the nations have been so much benefitted and have derived so much strength from the union, one with the other, that it would be sheer wantonness not only to wish to disturb it, or to endanger it in any way by mutual jealousy, ill-will or self seeking, but also not to bestow our best thoughts on the ways and means of cementing this union, and placing it beyond the reach of the dangers which selfish and short-sighted people might for a time succeed in involving it in. Each of the two countries, we believe, cannot too well remember that its lot without the other would be very much worse than it is at present. Without England's strong protecting hand—but especially without her wonderful organizing capacity—India would probably fall once more into that condition of internal strife and consequent insecurity of person and property, and threatened danger from without, which she was able to escape only, it may be, by yielding to the power of England, and helping in its establishment. Without the vast resources of India, which is not inaptly styled the brightest

gem in the Empress' diadem,—without the help and hearty co-operation of her teeming, industrious, loyal, and gifted populations, England would soon lose her proud position amongst the nations of the world. The union of England with India being thus fraught with such happy and important consequences to *both* the parties concerned, it is, we think incumbent on them that *both* the countries should, if the crisis contemplated ever come, be prepared to undergo the necessary sacrifices in a spirit of self-abnegation; and secure not only the maintenance, but the progressive improvement, of Her Majestys Indian Empire. There should be no attempt to shirk responsibility, or to shift it on to the weaker shoulders of those who may be already sufficiently heavily burdened, or whose responsibility to bear any additional burden could not be clearly established. It is in connection with this aspect of the question that we have to pick—not one, but we presume, many—bones with the correspondent of the *London Times*, whose utterances about the Native States of India are characterised, we are obliged to confess, by a spirit which is anything but fair and statesmanlike.

There are within the vast British Indian Empire many so-called feudatory states, some ancient as ancient could be, others more modern, but representatives of great national uprisings, all in *de facto* possession of vast territories, and whose rulers have mostly within the last century entered into definite "Treaties and Engagements" with the English Government. By these each party has bound itself peacefully to abide for the future. Writers like the one in the *Times* mostly ignore the existence of these Treaties with the Indian Princes, or if they ever mention them, it is to advise their being thrown, as it were, to the wind—without,—be it remembered, the consent of one of the parties—and that the weaker—to the violation of the engagements. It is not only these parchments of paper called Treaties and Engagements

that these high-souled and truthful writers make most light of, but their leading representative has gone so far as to set down the promises of the Queen's Proclamation of 1858, as of no higher worth than the paper on which they are written. They deny that the little patches of territory left to the Native Aristocracy and the Native Princes, serve any useful purpose in the economy of the British Indian Empire, by acting as safety-valves to the legitimate aspirations and independent ambition of the sons of the soil, or by stemming or otherwise breaking the force of the torrents of disaffection and discontent that may take their rise within the British Indian territories, or by otherwise being useful and necessary to the dignity and stability of the Empire, and they therefore think that these territories should not be given over to the worst passions of the Native Princes. The fact is however beyond dispute, that but for the existence of the Native States, the Mutiny of 1857-58 would have in all probability assumed the magnitude, importance, and gravity of a national struggle for independence, which would have tasked the energy and resources of England far more severely than it did to quell, and that the Native Princes, with their small territories and so called armies, are far less liable to work any mischief, or to cause any troubles to the paramount English Government than would otherwise be possible. During the troubled times of the mutiny, neither Scindia, nor Holkar, neither the Nizam of Hyderabad, nor the Begum of Bhopal—nor any of the numerous representatives of the old houses of Rajputana, or Central India, nor the Sikh rulers of the Panjab, nor the Maratha Chiefs of this Presidency, were the cause of any anxiety or troubles to the English Government, while on the contrary, the disinherited son of the last Peishwa, and the heirs to the already shorn glories and honors of the house of Delhi, or the Begum of the unjustly deposed Nabob of Oude, or the widowed Rani of Jhansi,

who was more than any threatened with the extinction of her house and principality, armed with the courage of despair, were found in the ranks of the enemies of the British Government, and gave it the most serious trouble it had ever encountered since the establishment of its power in India.

It must be borne in mind that those who raise this alarm are constitutionally least entitled to speak with authority on this subject. It is the English official classes, or their supporters in the Press, with whom this cry of "Perish Native States and their armies" originates. The commerce of England is so great, her excellence in arts and manufactures is so unrivalled, that the trading and labouring classes, who necessarily form the majority of her population, may, in all probability, be none very much the worse, whether native states retain their integrity or independence, or are shorn of both. The independence of America has not in the least, historians and political economists maintain, affected the prospects of the British people injuriously, and though the case of India is a little different, in so far as it could not afford to take in the surplus population of the British Isles, it is certain that the greatest gainers by an aggressive policy, such as is foreshadowed by the correspondent of the *London Times*, would be the classes who have the monopoly of furnishing members to the "services." As it is, the lion's share of the enormous tribute which this country, year after year, is called upon to pay to England for her government of this unpoorished country falls to the lot of these gentlemen, and they are the very men who fatten, so to speak, on the cream of the land. To these gentlemen, the Indian world mostly exists, or they think ought to exist, only to supply them, in ever increasing proportions, with fat appointments. This is their ideal of an Indian Government. It would be enough, these people imagine, if the Natives of the country, the so-called children of the soil, are only allowed to remain, in peace, for ever

the hewers of wood, and drawers of water. In fact there is, in the opinion of these writers an "inherent incapacity" in the native races for any higher governmental functions, and therefore the gratitude of this "inherently incapable" people ought, in their view, to know no bounds for thus being kept to the level proper to their understanding and natural aptitudes. These "gentlemen" of the "services" with, of course, a few and far between exceptions, are ever ready to kill the golden goose of India for their aggrandisement, and the immediate gratification of their insatiable appetites. These are the men on whose lips the cry of "Perish Native India" is the most frequent. Fearing the loss of the monopoly of the high offices in the state, which perhaps the peculiar contingencies of their early rule required, but which has now become an anomaly, these men are the greatest opponents of any measures of reform which have as their object the cementing of the union of the two countries by ameliorating the condition of the Natives, or admitting them to a due share in the government of their own country and affairs. Under the costly rule of the "services," the revenues and resources of the extensive territories they rule over are soon exhausted, or prove inadequate to bear any new or sudden strain, and then the first object with these "gentlemen" is to point out the ways and means for meeting the crisis by shifting the burden on to the weaker shoulders of others, whose liability for the same can never be satisfactorily proved. By such means, and at times by airing their so-called "grievances," these gentlemen hope effectually to divert public attention from their extravagantly high emoluments and privileges. The *London Times* has unfortunately become the mouthpiece of these men. Extravagant and high-flown praises of the English "services," and a cynic contempt of native statesmanship meet us in every line of these long tirades against Native Princes, and along with it there is a studied

effort to hide their own unhallowed greed under the specious covering of apparent good intentions, and an anxiety for the good of the subjects of the native states.

"Various considerations" he says, such as our *increased responsibility towards the people of India, the cry of justice to India, and the possibility of an external danger from Russia*, compel us to recognise the fact that we must carefully review, and if deemed wise, re-arrange the relations of the Native States of India with the paramount power of the English Government in that country." It is curious to observe how these considerations of "increased responsibility to the people of India, and the cry of justice to India" are made out by the writer. He asserts that the Native Princes, in all cases, maintain very large, and in some cases, very formidable armies, which, being out of all proportion to their necessities as protected States, are not only a source of unbearable hardships and injustice to their own subjects, (in as much as they draw away large bodies of men from peaceful avocations and industries, which may be necessary for the proper development of the resources of their States, and tax the other remaining Ryots heavily for their maintenance,) but are sources of great discomfort and great wrong to the subjects of the British Indian Empire also, as they have to be necessarily taxed all the heavier, that the Government might be enabled to keep powerful and well-appointed bodies from their own army within the territories of these Native States in order "to watch and neutralise their armies." Justice alike to the subjects of the Government and of the Native Princes—these writers represent—requires therefore that these vast armies of the Native States should be extensively reduced, so that the well-appointed and large garrisons of the British armies they lock up within their Cantonments might be set free to co-operate with the army of the frontier, either to meet the threatened Russian invasion of India, or any other

enemy on the frontiers. When this shall be done, the claims of justice will, in the opinion of the *Times* correspondent, be entirely, and at the same time most beautifully, satisfied. This is really the gist of his interested argument, though he pretends to beat much about the bush, in order to arrive at it, and, also we fear, to show that his anxiety is widely in sympathy with the real interests of the people of India in British territory, as well as Native States.

The writer in the *London Times*, we presume, is conscious of the slippery nature of the ground he has taken his stand upon, and, to escape the imputation of inconsistency and muddiness, he has at the very outset provided himself with loop-holes by declaring that his subject covers a wide field, and involves *so many different considerations &c. &c.*" In his charge against the armies of Native Princes, he has evidently very conveniently forgotten one consideration in connection with this matter, which puts the whole case in altogether a different light as respects the locking up of British garrisons in the Cantonments located in Native India. These garrisons are paid for by the Native States in most cases as much as their own troops. This payment is not obvious to superficial observers, because it comes from the revenues of the territories that have been permanently demanded by, and ceded to, the paramount power by the Native potentates—in consideration of the subsidiary forces which the Government stipulated to keep on behalf and for the use of the Native States in alliance with it. In most cases it has been stipulated that the contingents of these Native States should serve with the subsidiary forces. As most of the subsidiary forces and the contingents have been abolished, or more properly speaking, amalgamated with the British Army, without the Native States being paid back the territorial consideration they had once for all assigned for their maintenance, it follows that the Native States cannot be said to cause the Government any military expenditure on ac-



count of the garrisons posted in their country. The British authorities ought to keep them there simply because they have been very handsomely paid for that purpose. And as the territories given for the maintenance of the subsidiary forces in these days yield a revenue that is at least four times as great as they did when first granted, and as the government is not prepared to remit the increased revenue—either to the rulers of the Native States, or to the subjects living within these ceded territories, if any body is entitled to have a grievance in connection with this arrangement, it is the Native States and their subjects. It is easy for writers like the correspondent in the *London Times* to ignore these considerations, and lead the English public to believe erroneously that the Native States, or their so-called armies, are a drain on the resources of the English Government. No one here in India can for a moment be deceived by such false and malicious misrepresentations.

In order to show the magnitude of the evils resulting from the existence of the Native States, (we must remember that the writer under review is at heart an annexationist) and particularly of the vast armies they maintain, the Native States of India have been classed into four groups—(1) the Maratha states, (2) the Mahomedan states, (3) the Hindu states, and (4) the Frontier states. Why the Marathas should have the honour, or it may be the dishonour, of being separately treated from the other Hindus, and thus have a chapter of the communication all to themselves, is what we do not understand. Their territories, unlike those of the frontier chiefs, are scattered in all parts of the country, and are interspersed with the other Hindu and Mahomedan States of India. Hence the reasons, adduced by the *Times* correspondent for the course adopted by him, do not seem sufficient to us to warrant the distinction made. "I place the Marattas first," says he,

“both because they possess the greatest military power, and also on account of their having been our most formidable opponents in the past.” The Marattas have not only the honour of being placed *first*, but have the honour of being treated *separately* too from the other Rajput and Hindu families. We may be wrong, but an idea crosses our mind that in this arrangement the writer had in view the “political” maxim of “divide and rule.” The Marattas, or the people of the country called Mahārāstra, are, like the Hindus of all the other provinces of India, divided into the well known castes. Their Brahmans are, perhaps; of all the other Brahmans of India, preeminently the preceptors and leaders of the people. Their warrior caste—who are generally known by the simple appellation of the Marattas—are, as Professor Bhāndarkar tells us, the old Rattis, or Rhätodes, a Rajput tribe; while several families amongst them legitimately claim descent from the bluest blood of those Rajput families, whose progenitors are popularly believed to have sprung up from the sacrificial fountain of Brahma at Abu, and who pride themselves upon never having given a daughter in marriage to the “Shak” or the Mahomedan. From very ancient times, these people have often conquered the kings and countries of Northern India, and ruled them for centuries, and they cannot be legitimately stigmatised as up-starts or “parvenues,” as some writers for interested motives are disposed to do. More especially when an Englishman or foreign writer tries to raise odium against the Marathas by styling them aliens and strangers governing a “foreign” population, and looks upon this circumstance as justifying the annexation of their principalities, the height of absurdity is reached. It is the birth-right of these writers to think themselves equally at home in any parts of England and India, and yet to deny that the Natives of India of one part or district of the country can be anything but foreigners and aliens in the other provinces of it.

The great Marhatta States are three—Gwalior, Indore, and Baroda, under Chiefs who are styled Maharajas. Of these Marhatta Maharajas, those of Gwalior, having been the most distinguished for their fidelity to the Peishwâ, and their zeal for the extension of the Marhatta Empire, had been the most powerful among the Marhatta confederacy. After the defeat of the Marathas at Panipat, Mahâdâji Scindia devoted himself to the establishment of Maratha sovereignty by employing French Officers to drill his troops and form his artillery. At one time this army was thought scarcely, if at all, inferior to the British Native army either in numbers or in efficiency. Mahâdâji had made himself useful to the English in their hour of need, when the Vadgaum treaty was patched up, as an intermediary in their negotiations with the Peishwa. But because he had once been useful as an intermediary, it did not follow that the head of this family was to enjoy the position of a dictator in Central India. The overthrow of Tippu Sahib left the hands of the E. I. Company free, and the whole of its power was directed to the task of humbling Dowlat Rao, (the inefficient successor of Mahâdâji), the curtailment of whose power having become the more necessary as his court afforded the last resort to French adventurers." Consequently Scindia's power was shattered to pieces by General Wellesley on the fields of Assaye and Argaum, and by the treaty of Surjee-Angengaum he entered into the system of subsidiary alliances with the English—a system than which nothing more destructive to the vitality of the Native States could have been devised. The Gwalior State at this time was also made to cede to the Company, as the price of its alliance, not only most of the places conquered by Mahâdâji, but *even some of those which had been granted to him by English favour for services done with his countrymen.* Matters remained in this state when the memorable mutiny of 1857 broke out, and the present Mahârâja Jyâjee Rao

Scindia, ably assisted by his celebrated minister Sir Diakarrao, with consummate efforts kept the Gwalior forces inactive during the most critical period of the mutiny. If Scindia had not succeeded in doing this service, and if the rebellious army of the contingent stationed at Gwalior had got the upper hand in his principality at this juncture, his territories being interspersed as they were with those of other Native States, in Hindustan and Malwa, including the territories of Indore, Dhar, Dewas, Dholepore and Bharatpore, the rulers of these States perforce would have been driven helplessly before the raging storm, and the waves of the Mutiny carried into Maharastra and the Deccan. By reason of his fidelity to the English, Jynji Rao had to submit to the humiliation of allowing the mutineers to loot his city, himself obliged to fly from Gwalior, giving every thing up for lost. For this conspicuous fidelity to the British cause, "various rewards" were conferred upon Scindia. "But singularly enough," writes the *Times* correspondent, "Dinkar Rao fell into the greatest disgrace, and became the object of his master's intense dislike," and the reason for this conduct of the Maharaja is traced not to the exercise of the ordinary functions of a ruler, but to his supposed change of sentiments towards the paramount power. "It would almost seem" says the writer, "as if the Maharaja had repented of the policy he had pursued, and as if he regretted a lost opportunity." All the Residents at the Gwalior Court since the days of the Mutiny have given Scindia credit for the possession of the most unreserved loyalty, and therefore we are constrained to denounce this insinuation as a political lie, excusable only as an expression of the unconquerable hatred which Jingo writers, as if it were their very nature, entertain towards the people and princes of India. As a matter of fact, the so-called "various rewards" given to Scindia are altogether neutralised by the occupation of the fort of Gwalior by the Government since the Mutiny. "The various rewards" of

course include chiefly many mere verbal additions to H. H.'s already long array of titles. Of the more substantial rewards and assignments of lapsed Jhansi territory, what with amendments of frontiers, allotment of pasture lands to the Cantonment at Morar, and other such "reforms," little remains, one must admit, that can be considered sufficient to counter-balance the loss of power and dignity inflicted upon the state by the virtual annexation of the Gwalior fort. Amongst the losses sustained by Scindia during the mutiny, the plundering by the rebels of his "Gangajali" or treasury which is supposed to have contained some crores of Rupees, must not be forgotten as a set-off against any increase of revenue, which Scindia might have been able to get from the lands given to him by way of reward. Under such a system of rewards, Scindia, or any other man in his place, might not well be *quite* satisfied, or *quite* happy, and when H. H., in a spirit of loyalty and humility, urges a request that his case might be reconsidered, and the fort evacuated, that he might not appear to the world in the light of a suspected and watched Prince, his pleadings are resented, and branded as a change of front. We are sure we are not advocates of Scindia's grievances any more than we are of any other prince. We have written at some length here about them as his case affords the best illustration of the policy followed towards the Native States by the Government of India. Colonel Malleon speaks of Scindia as follows :—

"From the first, with the full concurrence and support of the minister, Jayajirao determined to cast in his lot with the British. Not in vain had Lord Ellenborough in 1844, displayed the prescient policy of a real statesman. Not in vain had he foreborne from the lust of conquest, and restored to the minor Sovereign intact his dominions, with a provision to secure their good administration during his minority. With an opportunity which Mahādāji would have made de-

cisive, and Dawalatrao even would have clutched at, Jayajirao took upon himself the task, which under the circumstances of the feeling of the country, must have been pre-eminently difficult—the task of being loyal to his engagements to the British, even when British supremacy seemed lowered, and British authority had been shaken off in districts within fifty miles of his capital. Full of these loyal ideas, Jayajirao's first movement was to send his own body-guard to Agra to aid the Lieutenant Governor of the N. W. Provinces in the suppression of the revolt. They rendered excellent service. His next was to place his entire contingent at the disposal of the same high officer. The offer was accepted. But it soon became evident that the causes which had induced the mutiny in the Bengal army had infected the sepoys of the Gwalior contingent with the virus of revolt. At Hatras, at Neemuch, at Sagur, Lalpore, and finally on June 14, at Gwalior itself, the sepoys of the contingent rose and massacred many of their British Officers."

"No sooner had these men revolted, than they placed their services at the disposal of Jayajirao, and begged him to lead them against the British in Agra. To give due credit to the loyalty of Scindia at this crisis, it should be remembered that not only were the insurgents in possession of the capital of the Mogul, but the entire country to the North West of Agra was in revolt. British Garrisons were beleaguered at Cawnpore and at Luknow, and it seemed as though one decisive blow would finish the English dominion North of Bengal proper. Had the Maharaja then acceded to the request of the sepoys, it was quite possible that with 20,000 trained soldiers, men who afterwards gave evidence of the excellence of their discipline against General Wyndham at Cawnpore, and against Lord Strathnairn after Jhanshi had fallen, he might have struck that fatal blow. Not only did the Maharaja not accept the offer of his troops; but by dint of skilful management, by cajol-

ing and by gifts of money, and by pretended difficulties in the way of procuring carriage, he detained them. More than that. When mutinous troops from Mhow and the territories of Holkar passed through his dominions, he restrained his own troops from joining them. He succeeded, in fact, in retaining them in inaction, till after Delhi had fallen, and Cawnpore had been relieved. And finally, when he did let them go, it was only that they might fall into the clutches of Sir Hugh Rose and Sir Collin Campbell." "To say that he must have felt his power is only to credit him with ordinary capacity, and his capacity is at least beyond the average. But he was loyal and true. Had the ablest member in the Council of India been at his ear, he could not have inspired him with counsels more calculated to prove beneficial to the British cause than those which he and his minister, with the instincts of loyal natures, followed of their own free will."

It was only some years back that Jayajirao again exhibited his loyalty to the British Government by capturing and giving up to the British authorities the reputed Nānā Saheb Peishwa. The *Indian Observer*, a paper then edited by an Englishman of liberal views, thereon expressed his opinion that by this his act, the Maharajah had for ever estranged himself from the sympathy of his own countrymen, the Marhattas. With such instances as these of the Maharaja's single-minded fidelity before them, Jayajirao has a right to expect that his character would be above the baseless imputations of mistrust and infidelity which some irresponsible Anglo-Indians are ever ready to thrust at the Native Princes and people of India. However just as the friendly offices of Mahadaji Scindia did not avail his son and successor from being attacked and stripped not only of his conquests, but even of the territory gained by him as rewards from the British Government themselves, so the conspicuous fidelity of the present Maharaja during the terrible crisis of 1857-58 has not been able to save him from

being watched in his own palace from under the guns in the fort of Gwalior, which would make short work of his palaces and capital within the space of an hour or two if it were so determined. And as if this were not enough, it is further suggested by the *Times* correspondent, that treasonable inclinations must be natural to a brave and able chief like Scindia, and that therefore the Maharaja, should be required to disband his army by peremptory, immediate, and wholesale reductions. In fact the policy advocated by the *London Times* and its correspondent is a policy of so pre-eminently blind and unreasoning a mistrust that it ought therefore to carry its own condemnation upon the very face of it with all honest, right-thinking and far-seeing statesmen. So far from being of the slightest use or advantage to the Paramount English Government, it would only furnish the Native Princes and the people of India, who wish well to these princes, with a fresh and a very just grievance, and weaken the British power itself,—all in the name of the threatened Russian invasion, and a sense of increased responsibility and justice to the people of India! Well might India call upon Heaven to save her from these her friends!!

It will be interesting to see how the writer attempts to make out his case against Scindia, undoubtedly the most powerful and the most justly trusted of the allies and feudatories of the British Indian Empire. The population of Gwalior, our writer thinks, exceeds 3,000,000 souls, and the revenue derived from them comes to about  $1\frac{1}{4}$  million pounds sterling or more than 7s a head of the population. We do not think this estimate is right—it is, we fear, a little over the mark. Be this as it may, yet we would strongly object to one conclusion the writer draws from it. At this rate he thinks the British revenue should exceed 70 millions, without the receipts from opium, railways and other public works. It is, we presume, wrong to



compare averages drawn from limited, small, and selected areas with those that are arrived at from large general ones. Scindia's opium-producing lands in Mundosore and other parts of his territory in Malwa and Hindostan certainly can bear the very highest rental, and it would be evidently wrong to compare it with that which the poor soils of our Māwal yield. The incidence of taxation can only be fairly judged if the capacities of those who bear it are taken into consideration. As this is not done, we think the conclusion arrived at by the *Times* correspondent is a fallacious one. If it were true, we should have seen much migration of the subjects of Native States into the adjoining British territories. Far from this being the case, as far as we are aware, what little of this sort of movement there is in the community is distinctly in favour of the Native States. In connection with this view of the case, we must also remember that the revenues of the Native States are wholly spent in the country, and the ability of the tax-payers is proportionately less strained than by a smaller total revenue one-half of which is sent out of the country. The loss of 20 millions of pounds sterling every year to India, represented by the Home and other charges of the English Rule, is a drain the dis-astrous effects of which are glaringly apparent to every body but the members of the official bureaucracy, in whose opinion no sacrifice can be ever too great for the people of India to undergo for the blessings which they confer on the country by their services. These gentlemen point at the poverty of Scindia's subjects as justifying the truth of their observations as to the ruinous effects of the Maharaja's policy. We are of opinion that Scindia's subjects in Mālwa (thanks to the liberal settlement of Sir Dinkar Row) can bear favourable comparison with any in British India. It may be conceded that the subjects near Gwalior or what is called Girda Gwalior, are not so well off. But howsoever that may be, we are not sure that

the Maharaja's military expenditure is the cause that "there are the descendants of proud Rajputs and high caste (!) Mahomedans compelled to obtain the lowest coolie employment" as the antiquarian Major Keith says. These are, one would think, precisely those classes of people who are benefitted by any extravagance in the military expenditure of the country, and we must confess we fail to see how the case can be different in Scindia's principality. We make bold to suggest that the descendants of the 'proud Rajputs and high caste Mahomedans' that excited the antiquarian's compassion were British subjects that had sought refuge in the Maharaja's territory to seek their bread. We must also remark here that poverty—abject poverty more than anything else is the principal characteristic of the subjects of British India, and therefore our officers ought to be the last men in the world who should point the finger of scorn at others on that score. Fault is found also with Scindia for not caring as he ought to, for the architectural monuments in his territory. This is bad enough in all conscience we will admit; but we ask how long since is it that the conscience of British officers has been roused to the necessity of the preservation of the ancient monuments of antiquity in their own territory? Unfortunately we have not by us at present the gallant Major's report upon the remains of antiquity in the fort of Gwalior; else we should have been able to show that the conduct in this respect of the officers of our government, *till quite recently*, was as bad as, if not worse than, that of Scindia's government. By this, however, we do not mean to say that there are not black spots in Scindia's administration, and that it is not capable of immense improvements. It is true, as observed by the *Times* correspondent, that the Gwalior State does not sufficiently go in for those administrative reforms which are the tax-payer's return and equivalent. Beyond the Imperial railways and roads, to which H. H's. exchequer contributes its just quota, the state is conspi-

cuous by the absence of village roads, bridges, schools, dispensaries and "the other indispensable accessories of even a low civilization." His Highness is remarkably amenable to the advice of the British Officers attached to his Court, and it does not speak well of the zeal and ability of these officers that such accessories of "even a low civilization" should be neglected at Gwalior. And when due weight is given to this undeniable fact, it will, we should think, be admitted that some portion of the blame in howsoever small a degree must be cast upon the political officers at the Gwalior Court. It must not be understood that we desire to throw any the slightest cloak over the shortcomings of the Gwalior administration. The principal blame must, of course, attach to that administration, but we fail to see what justification such an admission furnishes to the conclusions drawn by the writer in the *Times*. The *Times* correspondent, carried away by his blind zeal to see the armies of Native States reduced, does not scruple to say that if Scindia's reputed military ardour be not early checked, Central India would soon see the revival of dacoity, and Thuggism, and the Pindhari spirit which Government has stamped out with so much labour. We have still to learn that this is likely to be the case. Violent crime in Scindia's territory, as in all the rest of the Native States, is fast decreasing. Scindia's military system perhaps bears some shadow of a semblance to the policy that now prevails in all the countries of Europe, and history has not yet shown to us that men, who have received some training as soldiers under good and strict discipline, have a tendency to become dacoits or, stranger still, Thuggs. Scindia is next taxed with neglect of the natural resources of his country which is said to be rich in iron ore. This discovery, if true, is indeed so recent and doubtful that H. H. cannot be much blamed for taking his time to see how he can turn it to account. He has already set a good example in the matter of Railways, and

has also set up a Paper mill at his own expense. We have now, we hope, noticed all the salient points of the argument urged against Jayâjirâo Scindia and his administration by the *Times* correspondent. We reserve the consideration of the advisability or otherwise of the proposed abolition of his army later on as a general question, which we will treat collectively with that of the armies of the other Native Chiefs.

The next state to which the English correspondent devotes his attention is Indore. The population of the state is said to exceed 10 lacks, and the revenue about 60 lacks of Rupees. Of late the revenue has rapidly increased, and it is said the Maharaja wishes to raise it to a million pounds. The rate of taxation per head, the writer believes, is already 15s. per head, and the Maharajah makes it his boast that before long he will raise it to £1. per head. In some measure this rate may be justified, the correspondent believes, by the nature of the opium producing land and the business habits of the Maharaja with which he is credited, though we think, otherwise. "Holkar" says the *Times* correspondent, "is not such a military enthusiast as Scindia. He only spends about £170,000 a year on his army, and another £12,000 towards the contingent." We are not aware Holkar keeps a body of men called the Contingent. The money with the territories, once for all yielded up, go to the British Government, and form the price paid by Holkar, like the rest of the Native Princes of India, for the existence of his State in the manner defined by the Treaties and Engagements. The price of protection being settled by treaty for all time to come, we think, the Native Princes are not bound to contribute anything further to our Government in the shape of money payments, or to undergo any further sacrifice without an adequate compensation—unless they elect to do so of their own free will, and choice. Whatever irresponsible writers may threaten, we feel sure that the question of their being compelled by

force to do so; in spite of the Treaties and Engagements entered into with them, will never seriously be entertained for a moment by the intelligence and morality of the first nation in the world.

It is curious to see that though Holkar's army is not as great or efficient as that of his neighbour, Scindia, this small military strength is put forth as an excuse for quartering a force of not less than 4,500 of our Anglo-Indian army in the cantonment of Mhow, and one thousand men more, both English and Native, in other places in the neighbourhood of his dominions. There are, besides these, 1500 more troops belonging to the Bheel and Bhopal battalions quite at hand, and in the country.

This arrangement will clearly demonstrate that the question of the location of the British camps and cantonments is dependent on considerations that have only a remote connection with the armies of the Native States. It may also with justice be argued that even if these considerations may have dictated the necessity for military camps at Mhow and Masidpoor and other places in past times, the existence now of a net-work of railways all over the country, to the construction of which the Native States themselves have freely contributed, demands that the strength of the British garrisons in the Native States should be reduced, and there can be no doubt that this reduction can be now safely effected. The rulers of Native States are so conscious of their utter inability ever to measure their strength with that of the English power, that they never bestow a thought on the comparative strength or weakness of the English garrisons in their territories. In ordinary times, the Native States would and do keep the peace in their principalities. For exceptional times, they have purchased the services of the paramount power to help them. The paramount power has for a sufficient consideration undertaken to protect the Native States from internal as well as external enemies, and it cannot well evade this engage-

ment, unless it is prepared to give back the territorial consideration received. It must be remembered that the Native Princes have already done more than they have bound themselves to do in allowing the Government to amalgamate their subsidiary, and contingent forces with the imperial British Army, and it would be paying good with evil to ask these states to contribute a rupee more towards the support of the British garrison of the country, and on refusal to require them to reduce their armies peremptorily. They stand on the rights guaranteed to them by Treaties and Engagements, and it is evidently to the advantage of all parties that these Treaties should stand on their solemn footing as mutually binding. It is especially necessary that the weaker parties to the contracts—who are of course the Native States—should not feel that in their dealings with the stronger party, they can not count on that party's gratitude for past services and favours, or that one concession on their part only leads to the demand of a greater sacrifice and ultimately—do what they may—that they are destined to be obliged in all cases to go to the wall. No empire can hope to live long that has inspired such feelings amongst its subordinates and feudatories.

As for foreign invasions, that is a matter wholly without the control of the Native States. Their own people and their own army have never caused the Government any trouble over since they accepted and reconciled themselves to their subordinate position. The British army must be maintained at a certain strength, and where and how it is located in different parts of India is not a political, but a strategic question. If stronger garrisons must hence-forth be kept on the frontiers of India, it can be done by reducing those in the Native States, with of course the consent of the chiefs, and totally removing some from within the British Khalsa districts, where all the conditions favourable to the safety and happiness of the empire are supposed to

exist in their full strength. Some of the military Cantonments are located in the country where there are no Native States Armies to be watched over and neutralized, and as there are places, like Baroda and the principalities of Katiyawad, where there are these so-called armies without their watch dogs in the shape of British Cantonments in the immediate vicinity, it is clear we think that the British garrisons in India are not, and need not be bound down to any particular locality or localities.

Holkar by treaty is allowed to keep an 'army' of 3000 cavalry, 5,000 infantry, and 24 guns. Scindia has a right to maintain an army of 5,000 drilled infantry, 5,000 horsemen, and 48 guns with 480 gunners. The armies of these two great military Maratha chiefs (as they have been called) therefore amount to 19,000 men of all arms and sorts. Many people here have seen specimens of Holkar's army—their arms and accoutrements. Scindia's army, though highly disciplined for parade purposes, is, if possible, still more badly armed than Holkar's. General Daly, who was by no means favourably disposed towards Scindia's military policy, has officially described how the guns and muskets used by Scindia's forces are, all of them, such as every British officer would at once totally condemn as useless, and dangerous only to those that may try to use them in case of real warfare. These are the opinions of responsible authorities, and yet we are now told by the *London Times* that to watch and neutralise this body of ill-armed, ill-disciplined, ill-officered and ill-paid men, without stores, commissariat, or other appliances, without any reserves to fall back upon, and cut off from all intercourse with their neighbours, it is "deemed necessary" that a British force of 11,000 men, armed and equipped according to the most approved modern science of warfare, and having numerous well-appointed armies to fall back upon, is required! Here we reckon one native soldier as equal to one British soldier. History, however, has

disclosed the fact that the British armies have often and often completely routed the armies of Native States in their best days, when they had not lost their warlike habits and prestige, that were ten times larger than their own; so that it is now a well-established fact that a Native sepoy of the British army is considered a match for 5 soldiers of the Native States, and that a single European soldier is more than a match for a dozen Native sepoys. According to this estimate, only a force of 1,584 British troops will be necessary if the object were only to watch and neutralize the armies of these Maratha Chiefs in Malwa and Hindustan. The larger garrisons are of course maintained for imperial purposes with which the Native Chiefs have little concern. The writer in the *London Times* seems to be well-posted in the affairs of our Maratha chiefs in Central India, and it is a matter for surprise therefore that he has not noticed the fact that in the recent Afghan War, Holkar and, if we are rightly informed, the Maharajah of Dhar, suggested that the English garrisons within their territories might temporarily be reduced with a view to portions of them being sent to the seat of war, and that they would see that nothing untoward happened in their absence. Several other Native States also offered to lend their armies to the Government, and the Government thankfully accepted and utilised their offers. After such proofs of mutual good will, we confess we fail to see how with justice it can now be proposed to these very chiefs that their armies should be disbanded.

In connection with his remarks on Holkar, the writer takes the opportunity to condemn him on the score of the high and frequent transit duties which he levies on the trade which passes through his territories. It will be seen that the sentiments of Sir L. Griffin with reference to the policy of the Native States of Central India in the matter of these transit duties are here simply reproduced in a more exaggerated form. Bad as both the great Mahratta Central Indian chiefs



were pronounced to be in this respect, the Agent to the Governor General did not declare Scindia to be quite as bad as his more covetous neighbour. The correspondent of the English *Times* has, for reasons best known to himself, obliterated this distinction. He says "in this latter respect Holkar is no worse than his neighbour; the two happening to hold territory which virtually shuts off Bombay from the rest of India on the east, are able by rigorous and frequent transit dues to hamper trade, and in some cases, to make it practically impossible." The large volume of trade at Indore is attributed by our writer to these heavy transit dues, and the present unsatisfactory state of things is said to have been "aggravated, no doubt, by the truculence of the younger prince (Balasaheb) ? who is now relegated, to temporary obscurity."

These transit dues, forming an essential part of the revenues of the Native States, are no doubt somewhat higher than they ought to be, or in some cases are higher than it is good for the trade of the country. We should be the first to advocate their reduction all round so that trade and commerce should be free and unhampered. We are at the same time conscious of the fact that the Native States have a just grievance in this connection against the policy which the English Government have of late followed, and the treatment which the feudatory chiefs have received at the hands of its officers in furtherance of the said policy. A spirit of utter disregard for the revenue concerns of the Native States, and the vested interests of their sardars and subjects, seems to be the one idea which dominates the minds of the officers of our Political Department. These gentlemen forget that the rulers of Native States are neither edified, nor impressed favourably with the honesty of purpose of the paramount power or its officers, when they insist on the reduction or the total abolition of all transit duties in Native territory with a view only to raise the imperial revenues from the same sources.

Indore has a considerable trade with Bombay and China and the prosperity of the local merchants depends more on the state, we presume, of trade in those places than the policy of transit dues which the Maharaja may elect to follow. If we remember right, the merchants of Indore, and not only of Indore alone, some three or four years ago assembled in their "Gyārā panch" to complain loudly of the inordinately heavy and ever-increasing transit duty levied by our Government on the chests of opium they exported every year to China. We also know that no heed was given to their prayer for the reduction of the opium transit duty. It would not be uninteresting to trace the upward march of this duty which is preeminently a transit one. This transit duty in 1835 was originally fixed at 125 Rs. a chest. In 1843, when Sind became a British province, the duty was raised to 200 Rs. and thence to 300 Rs. a chest. After the lapse of two short years, the duty was raised to 400 Rs. This lasted till 1859, when it was raised to Rs. 500 per chest, and to Rs. 600 in October 1863. This rate continued till 1877, when it was raised to Rs. 650, and it now stands, we believe, at Rs. 700 per chest. This rise we presume must be answerable at least in some degree for the 'pressure' of trade felt at Indore. The Native States of Central India are not only producers of opium, which brings in to our Government its large, but by no means small, opium revenue, but they also contribute towards the construction of the roads and railways that pass through their territories. They give up the land over which these roads and railways are made, and their jurisdiction over it ceases. Their police protects the trade except on the railways, and they have to make good any loss which the Government and its subjects suffer in their territories from robbers and dacoits. Then they have contributed rather heavily for the general peace and security that prevails in India. Under these circumstances, one would naturally expect that these Native princes were

allowed to secure some, it might be a small and altogether insignificant, share in the revenue that accrued from the transit duty on opium. Far from this being the case, most of the Central Indian States to our knowledge have only suffered considerable losses of revenue from the extension of the imperial roads and rail roads in their country. More than this, the States of Guzerat and Katiwad are in the most flagrant manner made to suffer extensive losses in order that the English Government may derive an increased revenue from its opium transit duties. The frequent and heavy tolls on carriages, carrying trade in the interior of the country over roads mostly laid out with the local fund money, are another instance of the covetous manner in which our Government try to raise revenues from transit dues that are as oppressive as any in the Native States. Some of these chiefs have, unwisely as we believe, but not unnaturally we presume, sought to make good their losses by rigid imposts on the trade and industry that may originate in or pass through their territories. Holkar is preeminently one of these. The state of his exchequer should surely enable him to rise superior to the temptation of raising small sums of money by means which may be obnoxious to the people. He ought to bear in mind that an overflowing treasury has its advantages as well as disadvantages—especially for native princes. For such contingencies, as famines and other visitations, “the Sulatani and Asamâni,” as our old statesmen called them, it is generally thought proper by our people that a state should have laid by in its coffers a sum equal to its one or two years’ revenue. This limit we think cannot be safely transgressed—as such an act can only call forth into existence conditions of discomfort misery and humiliation to the possessor of this unnecessary treasure, his heirs, successors and subjects.

The *London Times* correspondent has advanced the mischievous doctrine of the right of the government to insist on the refund of the taxes which our

Native Princes might raise over and above the legitimate requirements of their rule. The absurdity of the suggestion becomes obvious at first glance when we insist that the revenue policy of the British Government should be appraised by the same standard, and all taxes expended or remitted which were levied in excess of legitimate requirements. Who would be considered competent to judge whether the particular requirements of a government are legitimate and just or the reverse. The British Government or its officers are surely the last persons, we should consider to be good judges of the requirements of the Native administrations. Nor would the English Government, we fancy, be satisfied with Native Princes, or even their own subjects constituting themselves judges of the requirements of British rule in India.

Nothing is said by our Reviewer about the attitude of Holkar towards the Government during the mutiny, and how he has been rewarded by the officers of our Government for his fidelity during that trying time. The true story is being told week after week in the columns of the *Statesman*, and one would have wished to hear what a writer who professes to know all about the Native States of India, like the *Times* correspondent, had to say in connection with it. A guilty conscience, they say, sometimes enforces silence. Be this as it may, we shall here only content ourselves with remarking that Holkar's fidelity to the English at that time was no way less hearty and beneficial in its effects to that of Scindia, though his territory was smaller, and less central than that of his more powerful neighbour. Scindia has been, as it were, mortified by the confiscation of his chief fort, and Holkar has been rewarded for his fidelity by being perpetually stigmatised as disloyal, and denied until very recently even the reconsideration of the hasty opinion passed on him by an officer of the English Government, who did not certainly acquit himself well in that crisis. With these remarks we close our criticism

of what the correspondent of the *London Times* has said about Holkar's rule and his military establishments.

The third and the last of the great Maráthá States is that of Baroda ruled by Mahārāja Gáik wár. The reviewer's treatment of this part of his communication is we think very confused. This may partly be owing to the writer's ignorance about Baroda affairs, or it may be owing to the lameness of the cause he advocates. The Baroda state is one of the very few big States of India which have never crossed swords with the English power. As such it is entitled to great consideration. Before the Delhi Imperial Durbar, it enjoyed, if we are not mistaken, a bigger salute than those fired off in honour of the two other Maráthá chiefs. The salutes of these latter having been increased at the famous Delhi Assemblage, that distinction no longer exists now. By way of consolation or counter-poise, H. H. the Maharaja, though a minor at the time, received the endearing title of "Farazande Khâs &c." "Our own son" &c. from her Majesty the Empress of India. Every body knows there is not much meaning or sincerity in these honorific titles, and that the fictitious relationships they mark are generally of advantage only to the stronger party. This "son of Her Majesty's Indian Empire" has been very recently made to suffer a loss of revenue amounting annually to some 4 lakhs of Rupees, in the advancement of the policy which the Government of India have thought it necessary to enforce in the interests of their opium revenues. No more unwarranted interference in the internal management of the affairs of Native States can be imagined than the enforcement of these measures that have been devised for the development of British Indian revenues from opium, spirits, and salt. It is needless to observe that the Native States of Rajputana and Guzerath, Malwa and Cutch, that have been made the victims of these high-handed measures, which strike at the very root of their independence and safety, find their mouths gagged. All they

can venture to do is to put forth a feeble protest against the iniquity and injustice of the ill-advised measures of Government or their officers, and end by submission to the will of the irresistible paramount power. But as if this were not enough, the "son of Her Majesty's Indian Empire" has been further humiliated in the eyes of his subjects and neighbours and tributaries by the recent arrangements to take over the control of his military contingent out of his hands. In the promotion of the so-called imperial ends, the treaties are not taken into consideration for a single moment. The loss of prestige by the Native rulers, the heavy losses imposed on their subjects, and the misery entailed on the military classes and other vested interests by these hard measures, count for nothing. Some of these high-handed proceedings are merely of the Resident's initiation; yet there is no use complaining against the doings of that functionary, for somehow what is called his prestige covers all his sins. By the traditions of his service, he, to borrow an expression from the British constitution, cannot do wrong. This repressive system of Political supervision over the Native States, so unsuited to the genius of the present times, so diametrically opposed to the spirit of the Treaties and Engagements entered into by our Government with them, has now become quite the fashion. The qualifications and merits of a Political Officer are judged and rewarded according as he is an adept in this art of political adventure. Many are the ways therefore which our political Agents have devised to attain their ends in this direction. The younger race of our Native Rulers have their time when they sow their wild oats, and on coming into power they are not all remarkable for thoughtfulness or moderation of habits or temper. Many chiefs or their sons manage to estrange the sympathies and good-will of their most trusted, efficient and experienced old officers, and in a few cases they raise to power and honor some utterly worthless favourite.

The Resident keeps himself well-informed of the state of parties in the State. He has also by this time set his heart upon getting some advantage over the Native administration. In the negotiations that follow he finds that the Diwan and the other experienced officers are not easily over-reached or silenced. Some of the Amīlāh then pay private and secret visits to the chief. Then the crowning piece of the comedy is enacted. Some fine morning, afternoon or evening, the chief rides alone to the Agency house, sees the Badā Sahēb, laughs and talks with him in private, signs something, and returns home big with the secret of his trip to the fool's paradise. At this stage the comedy is over, and the tragedy commences. The Diwān and the other experienced officers of the State soon find themselves put out of court everywhere, and soon resign, or retire. The Resident sends in a report to his government announcing the victory he has gained over the inexperienced young chief. The chief too free now from every constitutional check, and deprived of the assistance of his experienced councillors, steers on a reckless course of youthful absolutism and folly. As long as the same officer remains in charge of the Residency all things apparently go on smoothly; and the Residency conveniently goes to sleep over the oppressions and shortcomings of the Durbar. Change in the *personnel* of the Agency is the only chance left to the Rayats in such cases for securing a hearing for their grievances. The picture we have drawn above is not the product of our imagination. We have given our best attention for some time past to the affairs of the Native States, and have found that something like the above with of course slight variations in the case of different states, marks invariably the downward course of not a few of them. In the majority of cases matters are made worse by forcing some totally worn-out and effete favourite of the Agency upon the prince as a Karbhari; but of course the perpetrators of such sharp and shameful measures take good

care that no trace of their jobbery should be found in the records of their office. There one is sure to find that the services of the Resident's creature were expressly asked for by the sinning prince, and that the great antiquity of the notorious relic, the servant elected, were duly pointed out to the chief with the delicacy consistent with official courtesy. In fact the records of the Agency are sure to show, when the time comes for reviewing the propriety and honesty of the measure, that the responsibility of the more than mischievous appointment entirely rests with the incompetent chief himself. It is popularly rumoured that something of the farcical surprise, described above, happened lately at Baroda in connection with the settlement of the Maharaja's contingent body of cavalry. We do not, however, believe in the truth of this particular rumour. The contingent question of Baroda is not of H. H. the Maharaja's creation. It was started in the dark days of Lord Lytton's Government, and the way in which it was to be finally settled was known before-hand. Indeed, if we are rightly informed, pressure had been brought to bear upon the late accomplished Diwan, the titular Raja, to settle it in a particular way, and that he had yielded to the pressure. As the Gaikwar was then a minor, it was thought proper to wait until H. H. came of age to give practical effect to the settlement. This we understand has been done recently. The apparent great haste with which the Gaikwar has acquiesced in the arrangement proposed, or, to speak more correctly which has been thrust upon him by our government and to which successive Gaikwars from the older Sayajirao were extremely opposed, is the fruitful source of the disquieting rumours alluded to above. We presume, therefore, neither Sayajirao, nor the well-meaning Resident attached to his court, can be held responsible for what has lately taken place at Baroda.

To return from this digression, we feel absolutely certain that many of the short-comings of the Native



States and their administrations are directly to be traced to the advice given to the chiefs by the Agents or Residents of our Government attached to their courts. Interested motives of their own, or the fancied advantage of the Government they represent, are at the bottom of this advice. It would be, we believe, difficult to mention any successful intrigue at a Native Court in which the Resident was not only at the bottom of but the central figure in, the plot. Under these circumstances, we contend that the acts of these officers should be exposed to the light of public criticism as freely as those of any other officers of the Government without any absurd fear about loss of his prestige. The evil results of the secret report policy at present followed have become so great a scandal that some writers have gone the length of recommending, that there should be independent courts instituted for the proper investigation and decision of such questions as may from time to time arise between the British Government and their officers on the one hand, and the Native States and their Darbaris on the other. Things will surely take some such course in the remote future, but there is little hope at present of finding a welcome hearing for such radical proposals. Meanwhile, what is urgently required is a change in the spirit of the policy that is followed in our dealings with the Native potentates. As long as the present repressive policy of high-handed authority is to be followed, the institution of these courts of arbitration between the paramount Government and its feudatories is not to be thought of as a measure of practical politics. It will be of the highest advantage to both the parties concerned that there should be a liberal change in the present policy of repression and high-handedness, that is deemed to be the most correct fashion to follow in our dealings with the Native Chiefs—such a change in fact as has been lately inaugurated by our late accomplished Catholic Viceroy in the internal or domestic policy of the Indian Empire. It is to be

deeply regretted that the shortness of His Excellency's stay amongst us prevented him from bestowing that attention to the conduct of our relations with the feudatory and protected Native States, which the importance of the interests at stake deserve, and imperatively demand. We have before this been at some pains to point out the ways and means by which this most desirable consummation was to be, in our humble opinion, attained. It may possibly be remembered by some of the readers of this *Journal* that in our article on a "Constitution for the Native States," we had proposed the adoption of some constitutional checks upon the personal nature of the powers and authority of the Native rulers by the institution of responsible councils, composed of the great officers and Mahajans of the state, who were to be associated in the Government with the chiefs, and who were to carry on the affairs of the state according to the opinion of the majority in connection with the subject. After the publication of that article, we had an opportunity of reading a Blue Book in connection with the rendition of Mysore to its ancient Hindu ruling family, in which some of our thoughts and suggestions on the subject were anticipated by high authorities. But we are sorry to say that no further progress has been made in the direction indicated. It is sad to feel that the subject of a Constitution for Native States is looked upon as no body's concern. None of our Native chiefs have the necessary education, experience, and foresight to perceive that, in the present political and social condition of India, their safety lies in giving a constitutional Government to their subjects. One by one, the most cherished rights and privileges of the states they rule over are taken away from them as being merely personal to them, and which they can, as it were, barter away at their pleasure. The Agents and Residents of our Government, who are ever bent on gaining more power in their hands, encourage the idea of a personal despotism with a view to gain their ends

easily by playing upon the vanity, greed, timidity, or imbecility of one individual, as it may suit their purpose, or the temperament of their victim. As for the big officers Sardars and noblemen, and the elders of the Sanwasthnân or the State, where are they? Echo answers "where!" Placed between native rulers who are only bent upon the furtherance of their personal whims and pleasures or those of some worthless favourite on the one hand, and the Resident who is bent upon humouring the prince that he may gain mastery over him on the other, the big officers and Sardars of the Native administrations are nowhere. They not unnaturally, therefore, assume the rôle of the merest trimmers, and only care to secure their own emoluments and Jahagirs. In this state of things the poor Sardars, officers, and the generally well-to-do subjects of the state are often made to suffer grievous wrongs. If they carry their complaints to the Residency, they are told that the Resident cannot interfere. The mal-administration is increased by these answers, and at last a crisis comes such as overtook the ill-fated Malhar Rao Gaikwar. It is curious to observe, however, that the excuses of non-interference never hinder the Agents of our Government from forcing any measures they like upon the Native Princes in contravention even of the most solemn Treaties and Engagements with them. They only come in their way when the real improvement of the administration is likely to be the result of the Agent's action or good offices, or when the infatuated prince is likely to be stopped in his downward course.

We know it is often very difficult for the Residents to advise the Native Princes, even when some good is likely to be the result of such a step on his part, unless he stands on the best of terms with the Native Rulers. We also know that it may not be within the power of every Agent or Resident to command such a combination of good manners, tact, and discretion as are requisite for this task. The fault is not altogether

all on one side, and is not the fault of individual Princes or Political Agents. The safety and integrity of the Native States cannot be, and should not be, made to depend upon the personal inclinations of their Chiefs or the tact of the Agents. It is for these very reasons that we hold it to be incumbent upon all that the relations of the paramount power with the Native princes should be based on broader grounds than the personal inclinations of the Native Rulers, or those of the Political Officers of the British service. If the rulers of Native States themselves care for their true freedom and dignity, and desire to secure the well-being of their States beyond the reach of the dangers of personal caprice, incompetency, or misconduct, which every now and then subject them to the loss of their rights and privileges, they cannot do it better than by resting their authority on the solid foundations of a constitutional monarchy, or a government with self-acting internal checks. It is obviously to the advantage also of our English Government that it should encourage the Native Chiefs to grant such a constitution to their subjects, as it will simplify the task of their supervision of their administration and obviate the necessity of vexatious or unnecessary interference in the affairs of the Native States. They will besides gain the eternal gratitude of their own subjects. The preservation of the Native States in the full enjoyment of their strength, rights, and privileges is a necessary condition of the preservation and proper development of the British Indian rule itself. For centuries past, India has reconciled herself to the existence within its midst of a foreign paramount power, provided that power left free scope in the shape of Native States for the ambition and independent action of the Native races, and provided also that the paramount power displayed by its acts complete freedom from a conceited exclusiveness in religious and political matters. The history of the Mahamedan Empire in Hindustan under the first five monarchs of the house

of Timur affords the best illustration of this peculiar national temperament. As long as the Princes of Rajasthan lost not an iota of their authority, they loyally entered the service of the Imperial Court at Delhi, and as long as by their connection with the Imperial Court they added to their former dignities that of being also the Arkane Doulat, *e. i.* the pillars of the then greatest monarchy on Earth, they ensured the Empire of India its proper limits. This wise and liberal policy of Akbar and Shahâ Jahan was stupidly abandoned by Aurungzeb, who attempted to revert to the narrow, crooked and intolerant methods of Islâm as interpreted by the so-called orthodox Mullahs, and shattered the Empire to pieces in the ill-considered attempt to centralize or rather brutalize power. The whole history of the Mogal Empire in Hindustan points to a moral which our Government should certainly lay to heart. In the interests of the preservation of their splendid Empire in India, the British Government ought to conserve the integrity of the Native States and their armies, and ought to see that they prosper and sub serve great national ends under the shadow of their paramount power in conformity with the Treaties and Engagements. They should teach and encourage by precept as well as by example the growth of constitutional internal checks in place of the personal check of Political Officers acting from without and always with conflicting interests. This consummation so devoutly to be wished for can only be compassed by encouraging the Native Chiefs to grant a constitutional government to their subjects, and by the Government looking well after the conduct of

their own Agents and Residents at the courts of the chiefs, and adopting a more just and conciliatory tone in their policy towards the Native States of India. Sayâjirâo Gâikwar, by the education and training he has received, is one of the princes who may be justly expected to pave, if not lead, the way, in this direction. Holkar too for evident considerations should heartily endeavour to bring about the reform we have so often recommended. We earnestly invite their attention to the remarks we have here offered for their consideration and that of our Government. The highly educated Maharaja of Travankore, the favourite pupil of such an accomplished scholar and statesman as Sir T. Madhawa Rav, ought, we fancy, to devote his certainly great powers towards the elucidation of some such plan, whereby the administrations of the Native States may be improved, and their vitality and power secured to the advantage alike of their subjects, and of the benign paramount power. The attempts made to set up joint administrations in Kâthiawâd, and Councils of Regency at Kolhapoor and Cutch, as also the Mysore Council, are beginnings in the right direction, and are good auguries for the future. The separation of the Khasgi from the Doulat, the creation of departments under different heads, the constitution of executive councils under the presidency of a Diwan with a guaranteed position; these are the leading features of the reform we would press upon the attention of the authorities. The *Times* correspondent closes his first paper with his review of the Gaikwars' rule, and we must also stop here for the present. Our only apology for noticing his criticisms on these leading Maratha States at

some length is, that these states have for obvious reasons been an eyesore to politicians of the Annexation school, who would, if they had the power, soon make short work of them. The *Times* correspondent himself has let the cat out of the bag, for in his subsequent review of what he is pleased to call the Hindu Principalities, he states that in regard to them (as distinguished from the Maratha States noticed in the first communication), it is rather the reform and increased efficiency of their administrations, *than the wholesale disappearance of these States*, that is in the highest degree desirable," obviously suggesting that he would prefer to see the wholesale absorption of the leading Maratha States. Fortunately this wish is one which is never likely to be realized, but it makes all the more incumbent on us to be watchful of the interests of these States, and adds to the responsibility of their present rulers to arm themselves against the dangers of any reactionary measures by leading the van of progress in well-ordered and constitutional rule.

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# THE 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.

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# PROCEEDINGS OF THE SABHA.

## CORRESPONDENCE REGARDING THE NOMINATIONS OF MEMBERS OF LOCAL BOARDS UNDER ACT I OF 1884.

No. 20 of 1885.

Sarvajanik Sabha Rooms,  
Poona, 2nd February 1885.

FROM

THE SECRETARIES OF THE

POONA SARVAJANIK SABHA,

POONA.

TO

JOHN NUGENT ESQUIRE, C. S.

SECRETARY TO GOVERNMENT

REVENUE DEPARTMENT

BOMBAY.

SIR,

We are directed by the Managing Committee of the Poona

No. 10191A of 27th December 1884  
No. 319A of 14th January 1885  
No. 574A of 20th January 1885  
No. 750 of 20th January 1886

Sarvajanik Sabha to submit the following  
observations on the recent nominations  
made by Government to the Taluka Lo-  
cal Boards and the District Local Board

of the Broach district, and to the Taluka Local Boards of the Surat  
and Ahmednagar Districts in Government Notifications in the Reve-  
nue Department marginally noted, and to request you to lay the  
same before His Excellency the Right Hon'ble the Governor in Coun-  
cil for his favourable consideration.

2. The Committee of the Sabha regard it as their painful duty  
to have to observe that when due regard is paid to the intentions of  
the Legislature and to the spirit, if not to the letter, of the Bombay  
Local Boards Act (Act No. 1 of 1884), the Government nominations  
notified in the several Notifications in the Revenue Department re-  
ferred to above are open to serious objections. Section 5 of the Act  
in its proviso clause enacts that "not more than one half of the nomi-  
nated members shall be salaried servants of Government." By the re-  
servation made in this proviso clause it clearly appears to be the inten-  
tion of the Legislature to restrict the strength of the service element,—  
of those in fact who are more or less dependent upon the district  
Executive officers to at the most only one half of those nominated by

Government; in other words, the Legislature clearly appears to enjoin that one half at least of those nominated by Government must be, in the strictest sense of the term, non-official or independent persons. Again, the same view is borne out by Section 3 clause 3 of the Act, wherein the expression "salaried servant of Government" is defined. From that definition it seems clearly that, with the single and significant exception of "a retired servant of Government in receipt of a pension" every one, who is in receipt of a remuneration from Government in any shape for service rendered, should be regarded as a salaried servant of Government; for if the Legislature had meant to exclude the hereditary village officers, it would have expressly done so as in the case of pensioners, to whom ordinarily the term "salaried servants of Government" is never applied. In short, pensioners having been expressly excluded, it is evident that the Legislature meant to include in that term every class of government servants whose appointments are made by government, and who receive remuneration for service rendered from month to month, or once a year, or otherwise.

3. Again, if the intention of the Legislature in expressly restricting the number of salaried servants from among the nominated members of Local Boards be considered and closely examined into, it will be found that the restriction in question has been imposed on the evident understanding that government servants, even when thoroughly capable, are not free agents but are in a sense under orders of their superiors, and that they can not accordingly be regarded as representatives of the people in the full sense of the term. Such appears to the Committee of the Sabha to have been the view of the Legislature; for such a consideration alone can justify the imposition of any restriction of the sort so expressly enacted. And the Committee of the Sabha are unable to understand how the village officers appointed and paid by government can be excluded from the operation of the restriction enacted by the proviso clause of Section 5. Not having been expressly excluded by law from the comprehensive grasp of the definition in Section 3 Clause 3, these village officers are certainly salaried servants of Government within the meaning of the Act; and if the spirit of the proviso clause of Section 5 be duly borne in mind, these village officers can not reasonably claim any exemption from those disabilities which the Legislature rightly regarded to be attaching to the other salaried servants of Government. The Committee of the Sabha have no doubt that even if any difference of opinion should exist as regards the technical and purely legal construction which they have ventured to put upon Sections 3 and 5, there can not be any reasonable difference of opinion on the point that the spirit of the Act is against these village officers so

nominated being regarded as in any sense non-official or independent members.

4. When the nominations made in the several Notifications in the Revenue Department referred to above are examined by the light of the foregoing observations, it will be found that among the nominees to the District Local Board of Broach there is not one independent member, and that with slight modifications the same remark holds good of the nominations to the Taluka Local Boards of the Broach and Surat districts. Of the five Taluka Local Boards in the Broach district there is not one Taluka Local Board the nominations to which do not appear to be open to some objection. As regards the Taluka Local Boards in the Surat district the nominations are similarly objectionable in the case of the Taluka Local Boards of the Chacherasi, Jalalpore, Chikhali, and Pardi Talukas, those for the Taluka Local Board of the Jalalpore Taluka being the most objectionable, as among the seven nominated members, exclusive of the President, there is not one *bona fide* non-official or independent member. In the same way it will be found on examination that out of eleven Talukas of the Ahmednagar district the nominations for two of them, namely, the Parner and Shergaon Talukas, are faulty for the same reasons, in both of them four out of the seven nominated members, exclusive of the President, being salaried servants of Government.

5. It is very much to be regretted that the local officers, responsible in the main for these nominations, should not have interpreted the provisions of the law in a more liberal and generous spirit so as to avoid even the semblance of a desire to dominate the new Boards by securing a standing majority of the official or semi-official element. This painful feeling of regret is all the more enhanced when it is remembered that in the Talukas of the Broach district, as well as in those of the Surat and Ahmednagar districts, the number of non-official independent persons eligible as members was by no means limited. It may be that the persons to whose nomination the Committee feel themselves compelled to take exception, are quite competent to diligently discharge the duties of the office to which they are now nominated; but the Committee of the Sabha can not admit that others of equal, if not greater, competency and at the same time free from those disabilities which must attach to Government servants, could not have been easily found. Among the larger land-holders in every Taluka of the districts of this Presidency persons of the necessary qualifications can always be easily found, and when these are available, and even ready and willing to serve, it does indeed seem somewhat unusual that the Revenue and Police Patels and such other village officers in the service of Government should be so largely in-

dented upon, as appears to have been done in the two districts under notice. It is well-known that these village officers do not occupy the same honoured position, and do not enjoy the same influence which they once did. Like maids of all work they are the subordinate servants who have to carry out the orders of all the centralized departments. And the result is that even if some of them are capable of forming any independent judgment, they can not, in opposition to their daily training, be expected to have the courage of their convictions to express them fearlessly in the presence of their immediate superiors. The higher officers of the subordinate executive service may sometimes be expected to have the courage of their convictions, but looking to the training of these village officers they can never be expected to do so; and practically, as the representatives of the rate-payers, they are worse than useless.

6. In the case of the nominations to the District Local Board of the Broach district, the foregoing observations apply with still greater effect. It will be remembered that at the time when the Local Boards Bill was under consideration before the Select Committee of the Legislature, the Committee of the Sabha urged upon the attention of that Committee the necessity and advisability of providing for a larger minimum of elective members in the case of District Boards. The Select Committee, of which the Senior Member of Government, as the Mover of the Bill, was a member, were pleased to admit the soundness of the arguments advanced by the Committee of the Sabha in support of their recommendation but negatived the Sabha's proposal by prominently referring to the elasticity of the statutory provision for enlarging the elective proportion at the discretion of the Executive Government. The Committee of the Sabha have felt it their duty to refer prominently to these admissions recorded in the Report of the Select Committee with a view to show that having declined to entertain the proposal for a larger elective minimum in the case of District Boards, the Executive Government was in a sense bound to exercise its power of nomination in such a way as to justify the confidence reposed in it, wise and sound discretion both by the Legislature and the public at large. There is also another circumstance which is worthy of a passing remark. Among the five gentlemen, returned as members by the five Taluka Local Boards in the Broach district, there are two who are village officers, namely, Mr. Madhavaji Gangaram, Matadar of Degam (Member for the Jambusar Taluka), and Mr. Dayal Nansang, Police Patel of Sukaltirth (Member for the Broach Taluka). This fact shows that in making selection the members of the Taluka Local Boards were in no sense actuated by any narrow prejudices. This very circumstance, in the opinion of the Committee of the Sabha, imposed a moral responsibility upon the dis-

strict executive officers who had to recommend these nominations, to see that the said nominations were unimpeachable. And when it is borne in mind that the constituency from whom selection had to be made numbered 10,000 persons; it can not but excite surprise that the executive authorities, responsible for these nominations, could only select two Revenue and two Police Patels as the representatives of the rate-payers.

7. Under these circumstances the Committee of the Sabha humbly submit in conclusion, firstly that the nominations, already notified and referred to above, should be revised with a view to remove the irregularities pointed out in the foregoing paragraphs, and secondly that Government will be pleased to draw the attention of its district officers to the necessity of exercising greater care and discretion in submitting the lists of persons recommended for nominations with a view to give more legitimate effect to the spirit and provisions of the Bombay Local Boards Act, and to prevent the repetition of similar mistakes in future.

We have the honour to be,

Sir,

Your Most Obedient Servants.

SHIVARAM HARI SATHE.

S. H. CHIPLONKAR.

*Secretaries of the Poona Sarvajanik Sabha.*

*Local Self-Government : Remarks by the Poona Sarvajanik Sabha on the nominations of Members of Local Boards under Act I. of 1884.*

No. 1347.

REVENUE DEPARTMENT.

Bombay Castle, 14th February 1885.

*Letter from the Joint Secretaries of the Poona Sarvajanik Sabha, No. 20, dated 5th February 1885—Submitting certain observations on the recent nominations made by Government to the Local Boards in the Districts of Broach, Surat and Ahmednagar; and suggesting that the nominations already notified may be revised with a view to remove irregularities in the nomination of salaried servants of Government to Local Boards, and that the attention of the district officers may be drawn to the necessity of exercising greater care and discretion in submitting the lists of persons recommended for nomination, with a view to give more legitimate effect to the spirit and provisions of the Bombay Local Boards Act I. of 1884, and to prevent the repetition of similar mistakes in future.*

*Resolution.—Government are in receipt of two communications from Native Sabhas or Associations on the subject of the election and*

nomination of members of Local Boards under Act I. of 1884. The first is a letter from the Praja Hit-Vardhak Sabha of Surat in which gratification is expressed at the satisfactory results of the Taluka Board elections for that district, among which is noted the fact that "among the elected there are sixteen patels all as a matter of course agriculturists". The second is a letter from the Committee of the Poona Sarvajanik Sabha, "whose painful duty it is to have to observe" that the nomination by Government of patels as members of the Taluka Boards is not only contrary to the Act but is illiberal and ungenerous, and bears "the semblance of a desire to dominate the new Boards by securing a standing majority of the official or semi-official element;" that patels are incapable of independence, and "as the representatives of the rate-payers are worse than useless."

2. The Poona Sabha places the blame on the local officers, whom it describes as "responsible in the main for these nominations." The Sabha is mistaken. The Governor in Council made these nominations and is responsible for them. It is true that the nominees were proposed by the district officers, but the latter were required in each case to state the grounds of recommendation. These were generally that the person named is possessed of local influence and likely to be active and intelligent in conducting local business and not in any case that he is a Patel. The Governor in Council when assured that a nominee is influential, active and intelligent, did not reject him because he is a hereditary village officer. But it was ruled that stipendiary village officers must be treated for the purposes of the Act as "salaried servants of Government."

3. The persons whom the Sarvajanik Sabha proposes to exclude from all participation in local affairs are the hereditary village headmen, maintained by hereditary lands and allowances which along with their status and privileges are secured to them by a special law. It is indisputable that they are the ancestral leaders of the village communities and it is not denied that they are as competent as any other class to be members of Local Boards. But the Sabha points out that they "do not occupy the same honoured position and do not enjoy the same influence which they once did." This is true and the reason is that the village community no longer depends on its headman to stand between it and the oppressions of the Government. Now if the village officers, the traditional headmen of the little strongholds of local independence formed by the village communities, have lost some of their influence, it might be supposed that the revival of Local Self-government would be hailed as a notable opportunity to restore their leadership and direct it in a new sense to the management of local affairs. The Poona Sarvajanik Sabha on the contrary proposes to



exclude the village headmen altogether from being members of Local Boards, (for if, as dominated by official dictation, they are unfit for nomination they are a *fortiori* unfit for election), and would thus efface their influence at one blow. The Governor in Council considers that of two persons equally active and intelligent, that one is distinctly the more truly representative for local purposes who holds in the village system the important place of hereditary patel, and His Excellency in Council is therefore unable to accept the advice of the Sarvajnik Sabha that the nominations of patels should be revised.

JOHN NUGENT.

Secretary to Government.

No. 36 of 1885.

Sarvajnik Sabha Rooms.

Poona 16th March 1885.

From,

The Secretaries of the  
Poona Sarvajnik Sabha.

Poona.

To,

JOHN NUGENT, ESQUIRE,  
Secretary to Government,  
Revenue Department.

Bombay.

Sir,

We are directed to acknowledge the receipt of the Government Resolution in the Revenue Department No. 1347 dated the 14th Ultimo, and in reply, to submit the following observations which we are to request you to be good enough to lay before His Excellency the Governor in Council for his favourable consideration.

2. While feeling thankful to Government for the consideration shown by it to the views of the Sabha and of other public bodies, and its desire to elevate the status of village officers, the Committee of the Sabha respectfully submit that in over-ruling the main contention of their first representation, the Resolution of Government leaves untouched the principle involved. This principle briefly stated was that Patels and other village officers, while officiating as such, were paid servants of Government, and must be treated as salaried servants in the sense and spirit of the law as fairly interpreted by the light of the liberal assurances given by Government in the Legislative Council, and that the number of such officiating village officers, added to other salaried officers nominated by Government ought not to

exceed a moiety of the total number of Government nominations so as to leave free choice to Government to honour other classes by this mark of their confidence and train them in responsible work. In view of this contention, the limit imposed by law having been exceeded in certain districts, it was pointed out that a re-adjustment of the proportion of official and non-official members in those instances was necessary, if the spirit of the law on the subject was to be followed in a fair and liberal sense. Possibly this point of view was not set forth with sufficient prominence in our first letter, and we are, therefore, directed by the Committee of the Sabha to submit this further representation.

3. In para 3 of the Resolution it is stated that the Committee of the Sabha propose to exclude the hereditary village headmen from all participation in local affairs, and "thus efface their influence at one blow," "because if, as dominated by official dictation, they are unfit for nomination, they are *a fortiori* unfit for election." The Committee of the Sabha beg to point out that our letter did not propose such an wholesale exclusion of the hereditary village headmen from membership of the Local Boards, and that their unfitness for election does not follow as a necessary consequence of their exclusion from the list of Government nominations. What the Committee of the Sabha proposed was that wherever the Governor in Council found it necessary to nominate any from among the class of village headmen, they should be, if they are officiating Patels or Kulkarnees, counted as part of the number of salaried servants of Government whose proportion has been limited by law to one fourth of the whole strength of the Board. Limiting their number in this way does not mean their total exclusion, and this limit of course only applies to their official nomination and can have no place if they come in as elected members.

4. Having again carefully examined all the nominations hitherto made for the several Local Boards, the Committee of the Sabha are still of opinion that though the official nomination of these village officers was in no case necessary as a means of correcting the one-sidedness of the result of the rural elections, [because no such one-sidedness was allowed by the good sense and discretion of rural constituents, acting under the guidance of their leaders, to take place and to thus mar the general effect so creditable to their impartiality], the Governor in Council could have easily appointed one or more hereditary village officers, without in any way disturbing or exceeding the proportion fixed by the Act, if they had only reduced the strength of the other official nominees.

5. In illustration of the foregoing observations we beg to refer prominently to the nominations to the District Local Board of Broach

It will be found that out of the seven nominated members, exclusive of the President, one is an Assistant Collector, one District Deputy Collector, one Husur Deputy Collector, and two Revenue and two Police Patels. Now the Committee of the Sabha are humbly of opinion that the Husur Deputy Collector, who cannot be presumed in connection with his duties to have any intimate personal knowledge of the district or of any part of it, could have been safely excluded, and his place supplied by the nomination of a Police or Revenue Patel. The same remark holds good with some necessary modifications as to the nomination of Chief Constables in the various Taluka Boards, seeing that the experience and personal knowledge of the Mamledar of the Taluka, who is the chief executive officer in his charge, does not require to be supplemented by that of an officer of such a subordinate position as the Chief Constable necessarily occupies. The same remark applies to officers of the Educational and P. W. Departments, who have been nominated to the several Taluka Boards in the Surat district, and to the District Boards of Ahmednagar and Nasik, when a special section in the Act, which provides for securing their attendance and advice, evidently implies that they need not have been included among the nominees. The case of the Chavvasi Taluka Local Board of the Surat District very clearly illustrates the point. In that Taluka Board among the nine nominated members, exclusive of the President, there are the Mamledar, the Chief Constable, the Deputy Educational Inspector, and the Assistant Engineer while there are three Patels and only two independent members. According to Section 5 five out of these nine nominated members must be independent members, and if the Police, Educational, and P. W. Officers had not been nominated, Government would have been able to include the three Patels in the salaried proportion, and fulfil the requirements of the Section. In the same way in the case of the Ahmednagar and Nasik District Boards Government had a splendid opportunity of appointing three village headmen to the District Boards, and thus to take a practical step "to restore their leadership and direct it in a new sense to the management of local affairs," and the Committee of the Sabha have no doubt that in each of those two districts three such persons could have been found, but the Committee of the Sabha regret to have to observe that the three seats have in both the cases been bestowed upon the Husur Deputy Collector, (in Nasik the Deputy Sanitary Commissioner) the Divisional Educational Inspector, and the District Executive Engineer.

6. In para 3 of the Resolution Government admit the truth of the Sabha's statement that the village headmen no longer occupy the same honoured position and do not enjoy the same influence which they once did in their villages, but their nomination to the Local Boards is

justified as a means "of restoring their leadership and directing it in a new sense to the management of local affairs." The Committee of the Sabha have given their most earnest consideration to this argument and respectfully beg to plead their inability to see its force or applicability to the case under notice. It will be conceded that the influence of these village headmen as a general rule is wholly confined to their respective villages, and if the Legislature had provided for the formation of Village Unions or Boards, the argument set forth above would have held good. Outside his own village a person belonging to this class occupies no vantage ground based upon his position as a village headman. The Committee of the Sabha beg to observe further that the village communities no longer form "the little strongholds of local independence," as the centralization of all the constantly multiplying functions of the Executive has effectually destroyed those strongholds as well as the influence of their traditional headmen in all local affairs. Their proportionate representation among the nominated members as defined by the spirit, if not the letter, of the law, and not their total exclusion is what the Sabha has contended for all along. Moreover it will not be difficult to show that, among other measures the operation of the very law, which is supposed to secure to them their hereditary lands and allowances has had the effect of transforming village officers into a condition of the most complete subserviency to the District and Taluka officers of the Central Government. And as to their being independent agents or effective representatives of the rate-payers the Committee of the Sabha feel themselves unable to admit it; for the strength of official discipline seems to be so overwhelming as to impose even upon the District officers the necessity of acquiescing in the measures proposed by their superiors and of withholding expression of their own adverse opinions. If official proof were wanted of this well known fact, the same is amply afforded in some of the confidential papers published in a Blue Book in 1883, wherein several District Officers have disburdened their minds, confidentially of course, as regards their own real position in relation to the practical administration of these same Local Funds. It therefore requires no further argument to prove that such a discipline must naturally have as it practically has, a more overpowering effect on the independent action of the village officers, and that their presence on the Local Boards, especially when nominated by Government, will necessarily have the effect of securing so many more votes to the side the official President may take in the administration of the District Local Funds. And especially a District Local Board, so constituted, that is, with a standing official majority, will only ensure continuation of the old state of things, and effectually frustrate the chief object of the new Legislation for Local Self-Government.

7. The Committee of the Sabha therefore most respectfully request that Government may be pleased to issue such orders as may remove the inequality of interests represented in certain District and Taluka Boards as recently constituted contrary to the spirit of the law, and to take precautions against its recurrence in future.

We have the honor to be,

Sir,

Your Most obedient servants.

SHIVARAM HARI SATHE.

S. H. CHIPLONKAR.

Secretaries of the Poona Sarvajanic Sabha.

*Local Self-government.*

No. 2517.

REVENUE DEPARTMENT.

Bombay Castle, 24th March 1885.

Letter from the Secretaries of the Poona Sarvajanic Sabha, dated 16th March 1885—Submitting for favourable consideration certain remarks and observations on Government Resolution No. 1347, dated 14th February 1885.

RESOLUTION.—The Sarvajanic Sabha now puts the case in a somewhat different way and the Governor in Council is prepared to admit that though the nominated members of some of the Local Boards in Brouch and Surat were selected because they are men of intelligence and not because they are officiating Pâtis, yet it is not desirable that there should be a great preponderance of one class of the community among the nominees. Steps will be taken to modify the nominations accordingly as opportunity offers.

J. NUGENT,

Secretary to Government.

## THE GOVERNMENT OF INDIA IN ENGLAND.

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In the *Quarterly Journal* for July 1884 we summarized the interesting and instructive discussion that attended the passage of the Government of India Bills of 1853 and 1858 through both the Houses of Parliament, so far as that discussion related to the constitution of the Government of India in England. By the Act of 1858 the East India Company was abolished, and the Government of India was transferred to the Crown, and was vested in a Secretary of State, assisted by a Council of 15 members, partly nominated and partly elected, and holding their office during good behaviour or for life. It was also enacted then that if, before the new Members of the India Council had completed their tenth year of office, Parliament was pleased to alter the law so far as the tenure of office was concerned, they would not be entitled to any compensation for being deprived of their office under the amended or new Act of Parliament. We propose on the present occasion to continue that summary with a view to place before the reader the history of this important legislation up to the latest date, the more so as we clearly see some unmistakable indications that the attention of the new Parliament, which will probably meet early next year, will be directed towards this important subject. It will not be improper, however, if before proceeding to our task we avail ourselves of the present opportunity to express our deep and unfeigned regret that the inscrutable ways of that Higher Power, to whose decrees we must all meekly bow, have deprived us of the assistance of that illustrious "blind" champion of the "dumb" millions of India, who more than anybody else had been deeply convinced of the necessity and importance of instituting a searching inquiry into the working of the Government of India Act of 1858.

as amended by two subsequent Acts, so that the necessary changes may be timely introduced.

In the first administration of the late Lord Beaconsfield (then Mr. Disraeli) with Sir Stafford Northcote and Sir James Fergusson at the head of the India Office as Secretary of State for India and Under Secretary of State for India respectively, a Bill to amend the Government of India Act of 1858 was introduced evidently with the object of effecting the necessary changes before the tenth year since the creation of the Council of India had expired. Sir Stafford Northcote accordingly on April 23, 1868 moved for leave to introduce a Bill to amend in certain respects the Act for the better Government of India and in doing so made a long and interesting speech. Though this Bill proved abortive, because at a later stage it had to be withdrawn, still we think it advisable to summarize the discussion that took place on account of the light that is thrown upon the subject. Sir Stafford Northcote said that it was necessary that whatever Parliament could do as regards that Bill should be done at once, because "it is certain that, in the course of this year, several members of the present Council of India will resign their appointments, and, according to the present state of the law, their vacancies must be filled up by other gentlemen who will hold their offices, under the present Act, for life. He then added that as there was a general agreement that the tenure should be limited and not for life, it was advisable to take advantage of such an opportunity for altering the constitution of the body. Sir Stafford Northcote then bore testimony to the satisfactory working of the arrangements effected by the Act of 1858, and to the very efficient and invaluable assistance rendered by the gentlemen who had acted as their Council to the successive Secretaries of State during the preceding ten years. He then defended at some length the members of Council against the attacks in certain quarters

to the effect that they were more or less of a useless and even of an obstructive character, which attacks, he added, proceeded from persons not very cognizant of the nature of the business of the Council or of the mode in which they discharged their functions. He dwelt upon the supreme necessity and importance of surrounding the Indian Minister by a Council of experts, because an Indian Minister had no personal knowledge of India, was removed almost entirely from the control of public opinion in England, and was deprived of the advantage which his colleagues who administered other Departments of the State derived from free discussion in Parliament upon every question that arose. He also expressed his belief that anything like an attempt to regulate and control the affairs of India through the personal authority of the Secretary of State alone would be a most disastrous failure and would lead to serious consequences. As regards the two powers vested in the Council of India by the Act of 1858, firstly that the Council of India had the power of controlling the Minister in financial matters by refusing to vote a particular expenditure, and secondly that the said Council had the power of appointing the members of the Governor-General's Council and of the Presidencal Councils of Bombay and Madras, Sir Stafford Northcote said that he did not intend to take away the first mentioned power, but that he intended to deprive the Council of India of the other power and vest it solely in the Indian Minister. As regards the first power he said that no practical inconvenience had yet arisen and would never arise so long as the Council of India was animated by that spirit which animated it then, while it undoubtedly furnished a check to any rash or ignorant action on the part of the Secretary of State. As regards the second power he said that it was contrary to the principle, which Parliament ought to recognize in the Government of India, that the Executive in India should be as strong as possible, and that the control should be exercised not in India, not



by any vexatious hampering of the Governor-General or the Governors, but by the deliberate action of the Secretary of State. Such power was necessary in the early days of British rule in India, when the Governors and the Governor-General enjoyed enormous power, and when owing to a great distance in point of time from England it was impossible to send home for instructions, and in Warren Hastings' time such power was effectually exercised. But he thought that the altered state of circumstances had removed all justification for the continuance of such a power. He objected to the continuance of that power also on the ground that it led to a system under which the majority of the Councillors were appointed by rising to a certain position in the Civil Service, and under which the bureaucratic spirit was fostered. Sir Stafford Northcote further proposed by his Bill to give to the Auditor-General a salary of £ 1,000 per annum and thus render him independent, and he suggested that the Indian accounts with the Auditor-General's report should be submitted to the standing Committee of public accounts which examined the audited accounts of Imperial expenditure. We might state here that the new Bill contemplated to limit the tenure of office of a member of the Council of India to twelve years, and also that the Bill proposed to raise the salary of a member of the Council of India from £ 1,200 per annum to £ 1,500 per annum, the additional £ 300 being supposed to be a compensation for the reduction of the term of office and also for declaring the service as a Member of Council non-pensionable. There was no debate whatever on Sir Stafford Northcote's motion, and the leave he moved for was granted and the Bill read a first time.

The motion for the second reading of the Bill came on before the House on June 15. Mr. Ayrton objected to the proposed tenure of 12 years as being too long and as being calculated to prevent the appointment of persons possessing the latest and freshest

experience of India. He proposed that the tenure should be for 7 years, and that two of the fifteen members should retire every year. Mr John Stuart Mill agreed with Mr. Ayrton in holding that 7 years' tenure would be sufficiently long, but he added that after such service they should be eligible for re-nomination, for he thought that while it was desirable to infuse fresh blood into the Council of India, it would often be a great disadvantage to the Council to lose the services of some particular member. Mr. Childers suggested that, as it was proposed to submit the accounts of Indian expenditure to the standing Committee on public accounts on the analogy of the accounts of Imperial expenditure, the whole question of the audit of Indian accounts should be referred to the Committee on public accounts, so that it might be dealt with thoroughly previous to the third reading of the Bill. Colonel Sykes also agreed with Mr. Ayrton and Mr. Mill in thinking the proposed tenure of 12 years too long and also contrary to the practice which prevailed in the days of the East India Company when the members of the Court of Directors went out every four years. Colonel Sykes, however, assigned one reason, why he objected to the proposed long tenure, which was not assigned by any of those who preceded him. He said:—"The civil servants in India, some of whom returned to England every year, were thoroughly acquainted with the change which the progress of education was making in the minds of the Natives of India, and it would be a great advantage to have such men taken into the India Council at short intervals. At the three Universities of Calcutta, Madras, and Bombay numbers of Native Graduates every year took honours in the examinations, in the same way as at Oxford or Cambridge, who necessarily from their self-respect looked to fill situations of influence, honour, and emolument. Where was the opening for the employment of such men unless the Covanted Civil Service in India was thrown open

to them?" We need hardly add that the Italics are our own. Colonel Sykes evidently meant that if the Council of India was composed of men of antiquated or, to use a more correct expression, obsolete experience, such a Council could not be supposed to have any personal knowledge of, or any genuine sympathy with, the latest legitimate aspirations of the educated classes in India; but he clearly seems to have fancied that if persons of fresh experience were introduced at shorter intervals, that experience and that sympathy would be necessarily secured. While we agree with one portion of Colonel Sykes' observations, we can not agree with the other portion. Without wishing to enter into any controversial matters on the present occasion we believe we can without any impropriety observe here that we can mention several names of officers about to retire who stand the best chance of being nominated to the Council of India on their retirement owing to their supposed fresh experience, but who really, even while in this country, are justly regarded as belonging to a class of antiquated and obsolete persons. Let the reader for a moment and a moment only realize to himself the consequence of the transference of the present "Lord of Belvedere" to the India Council,—of one who only two months since publicly ridiculed the aspirations of the educated classes in this country, and who, though in private life he professes to be a devout Christian, did not hesitate to speak contemptuously of the very cardinal principle of that religious faith in its bearing upon the question affecting the Native interests. Let us, however, return to the task immediately before us.

Colonel Sykes proposed that the tenure of office should not be for a longer period than in the case of the Governor-General, the Presidencial Governors, and similar other appointments. He, however, agreed with Mr. Mill that power should be taken to enable the Crown to reappoint any particular member who might distinguish himself more than his colleagues.

Sir Stafford Northcote in reply to the debate promised to consider the several proposals made in connection with the tenure of office, when the Bill was discussed in Committee, and also to state at greater length the reasons which recommended to him the proposal contained in the Bill itself. He also expressed his readiness to accept the suggestion made by Mr. Childers. The Bill was accordingly read a second time.

On June 22nd, before the Bill was considered in Committee, some Honourable Members availed themselves of that opportunity to make some general observations upon the Bill. Lord William Hay opened the discussion by saying that as the principal clause in the Bill only altered the tenure of the Council from a tenure for life to one for 12 years, Sir Stafford Northcote appeared to assume that no other change was necessary, and that, with the single exception of the tenure, the constitution of the Council was just what it ought to be. To such a proposition his Lordship said he would not assent, because he thought, that several changes might with advantage be made. He instanced the power possessed by the Council of over-ruling the Minister upon matters affecting the expenditure of the Indian revenues, because such a provision placed the centre of power and real authority regarding the Government of India into the hands of the Council. To this provision Lord William Hay objected as being wrong in principle, and further as being opposed to the opinion of men like Lord Macaulay who held that "India is, and must be, governed in India," because "that is a law we did not make, which we cannot alter, and to which we should do our best to conform our legislation." The result of such a state of things was that instead of accelerating the despatch of public business it lowered the position of the Governor-General in India. He feared that there was a tendency, owing to the facilities of communication, to interfere with the Governor-General of

# INDEPENDENT SECTION.

India, and that the tendency was increased by throwing so much power into the hands of the Council. He did not believe that the influence they exercised had accomplished the object which Parliament had in view in creating the Council of India, viz, the control of the Indian expenditure. He believed that it had led, on the contrary, to great extravagance in our expenditure that never would have been tolerated if the chief and main power had been left in the hands of the Governor-General of India. His Lordship added that he was not singular in holding such a view, but that it was shared by several eminent persons, notably by Lord Cranborne (afterwards the Marquis of Salisbury,) who, in the year previous in reply to Mr Ayrton's motion had said:—"We all know that this Council was constituted at a time of considerable difficulty, and that it was the result of Parliamentary compromise. Therefore we can not expect that it will work as well as a scheme matured under better auspices. \* \* \* You can not always expect, if you choose to place extravagant powers in a particular body, that those powers will not be sometimes misused." Having quoted this testimony of Lord Cranborne, who was at the time at the head of the India Office, Lord William Hay contended that he was surprised that the Secretary of State for India had asked the House to agree to the second reading of a Bill to amend the Act passed a few years ago without giving the House the slightest opportunity of forming an opinion how the Act had operated. His Lordship added he was aware that he might be told that Indian authorities were in favour of the Act; so no doubt they were, but he was not disposed to attach much weight to the testimony of Indian authorities for the simple reason that they were not disinterested witnesses, but expected to profit by the arrangements enacted by the Act of 1858. He would much rather have the opinion of men like Mr. Massey, who had lived in India during the time the Act had been

in operation. He was in favour of making the Council a purely consultative Council without any substantive power of control over the Indian Minister, and this too until such time only as such a Council was an absolute necessity, for he believed that a time would surely come when the Council could not but be regarded as a superfluous wheel. Referring to the constitutional objection to giving the Indian Minister an absolute control over the whole Indian revenues then amounting to £ 50,000,000 per annum, his Lordship said that the Indian Minister could not possibly have any control over the whole of that amount but only over that portion of it which was spent in England. As an Indian tax payer himself, though not to a large extent, Lord William Hay added that he believed he spoke the opinion of the great majority of the tax-payers in India, both English and Native, when he said that they would prefer the guarantee that would be afforded them by a Secretary of State independent of his Council whom they could question in that House about everything connected with Indian expenditure, to the guarantee afforded by the check given to a body of gentlemen who were wholly irresponsible to any human being and only responsible to their own consciences. He again quoted the testimony of Lord Cranborne in support of the view that the Council of India was practically irresponsible. As regards the constitutional objection his Lordship held that the adoption of the suggestion made by Mr. Ayrton to the effect that the expenditure which was really in the hands of the Secretary of State should be submitted to that House in the shape of estimates, thereby transferring the check from the Council to that House, would obviate the difficulty. The adoption of that proposal would moreover result in this additional advantage that the House would thereby be induced to take a deeper interest in Indian affairs. Lord William Hay concluded by saying that all these considerations had an

important bearing upon every clause of the Bill before the House.

His Lordship was followed by Mr. John Stuart Mill who agreed with Lord William Hay in holding that it was most important that India should be governed in India, and also that there was a great tendency, owing to the increasing facilities of communication, to over interference on the part of the Home Government. Mr. Mill added that there could be no difference of opinion as to the necessity of surrounding the Indian Minister by a Council of experts; but he proceeded to add that "if the Council did not possess some substantive power, if they were made a consultative body only, they never would have that degree of weight which they ought to possess; they would be a mere superfluous wheel in the machinery; if they had only the power of giving their opinions they would never be so powerful with the Secretary of State as his own subordinates in office." It is evident from the foregoing that Mr. Mill advocated the continuance of the Council of India on the supposition that under the Act of 1858 they enjoyed some substantive power beyond being a mere consultative body; and that consequently he was not in favour of continuing the Council if it was to be deprived of that substantive power and to be turned into a purely consultative body, or if that substantatife power had really not been conferred by the Act of 1858. Mr. Mill was for a long time connected with the India Office during the rule of the East India Company and even for some time afterwards, and had thus exceptional means for forming a sound opinion on the question at issue. His testimony is accordingly of very great value in arriving at a correct judgment on the facts of the case. We thought it necessary to make these observations lest the reader, or rather the student of this question, might be tempted to prejudge the important question at issue. Later on we shall have an occasion to distinctly refer to Mr. Mill's testimony

as really being in favour of something different from what is apparent on the mere surface. To return to the subject, however, Mr. Mill thought that the constitution of the Council admitted of being improved in the direction of allowing a portion of it to be elected Members of Parliament. Then referring to Lord William Hay's advocacy of Mr. Ayrton's suggestion about the transference of the power of financial control from the Council of India to the House of Commons, and about his belief in the efficacy or otherwise of such transference Mr. Mill said :—

But of all the surprising things in the speech of the noble Lord that which had surprised him most was that the noble Lord should have brought forward the tendency of this country to throw all expenditure, when any excuse could be found, on the people of India, as a reason for asking the consent of England, not India, when such expenditure was in question. If there was one thing which might be held absolutely certain, it was that the majority of a body constituted like the Council would in such matters be on the side of India. The Court of Directors had always been so, and many a battle to his knowledge had been fought by them with the Board of Control, in order to prevent such expenditure from being thrown upon India; and they often succeeded, but, he was sorry to say, still oftener failed. Now, if the power of sanctioning expenditure were taken away from the Council, which represented India, and given to that House, which did not represent India; and which seldom troubled itself about India at all but which did care about England and its burthens, and if the noble Lord believed that the House would be actuated in such matters by a generous and chivalrous spirit and would take the burden from India to throw it upon their own constituents, he must say that the noble Lord had a far higher opinion of the virtue of that House than his (Mr. Stuart Mill's) experience had taught him to have of that or perhaps any other public body in similar circumstances.

While agreeing with Mr. Mill in his distrust of the complete efficacy of the financial control of Parliament, we can not agree with him in his belief in the efficacy of a similar control exercised by the Council of India as at present constituted or as it may possibly be constituted by reforming it. The control to be really effective must be exercised in India and not in England, just in the same way as the colony of Ceylon is al-



lowed a constitutional control over its own revenues and expenditure. Colonel Sykes also thought that the members of the Council of India were "little more than automata" except in financial matters and were on an entirely different footing from the Directors of the East India Company. He objected to depriving the Council of this one power, which he would under no circumstances vest in the Secretary of State. Sir Henry Rawlinson regretted the absence of a preliminary searching inquiry into the working of the Act of 1858, before the Bill was introduced. Sir Stafford Northcote replied to the debate in a long speech in which he endeavoured to show that there was no analogy whatever between the circumstances which attended the periodical renewal of the Charter Act during the days of the East India Company, when every successive renewal was invariably preceded by a searching inquiry into the working of the previous Act, and those which attended the present legislation. He said :—"The old and the new systems of government for India were not, however, exactly parallel. Under the former, Parliament delegated to a body extrinsic to itself and peculiarly constituted—for it was originally nothing more than a private company—certain functions of an Imperial character. It was, therefore, only reasonable and proper that Parliament should from time to time review the proceedings of that body. But the present Government of India was in the main neither more nor less than one of the branches of the Executive, and under those circumstances he did not think there was any standing occasion *prima facie* for a review of its working beyond that which existed in the case of the Admiralty, the War Office, or any other public Department into whose affairs the House might, when it deemed fit, order inquiry to be instituted; while, upon the other hand, those who were responsible for the transaction of its business would very probably, in the event of setting about making any alteration in its

constitution, submit their proposals to the consideration of a Select Committee, or even move for a Select Committee to investigate the whole subject before proposing any such change." Then on his own behalf as well as on behalf of his predecessors Sir Stafford Northcote bore testimony to the Act of 1858 having worked satisfactorily, but nevertheless added that, had not the Session so far advanced, he would not have objected to the appointment of such a Select Committee as had been proposed. Then the Right Hon'ble Baronet detailed at some length the actual working of the system under the India Council, and further added that he entirely agreed with Mr. Mill that the Executive Government of India must be conducted in India, but that there must be a review and general control exercised from England, such review and general control being best exercised by a body of experts such as the India Council was. And then he added that possibly there were faults in this system as in all others; and one of these faults was that the members of the Council, being for the most part gentlemen who had served for many years in India, who had acquired much practical knowledge of details, were rather too prone to import their own knowledge into the discussion and into the regulation of matters decided in India. There was perhaps a tendency on the part of members of the Council to examine and criticize the acts of the Government of India a little more in detail than was desirable. But he added that though that was a natural temptation to gentlemen situated as the members of the Council were, still he must say that they fairly resisted that tendency. Then referring to the proposal for transferring the financial control from the Council to Parliament Sir Stafford Northcote deprecated such a proposal. The effect of such a system would be to throw a much greater amount of direct control into the hands of that House than existed at present, and he added that with all respect

to that House he did not think that it would be as good a body to control the Indian Government as the India Council. In conclusion he said that "if Parliament had before it the whole question *de novo*, he was by no means sure that there was not a great deal to be said for the old system, when there was a separate power and a separate Company," the result of which system was in his opinion that the Executive in India was made more free and independent.

The House then proceeded to consider the Bill in Committee. Regarding Clause (1) of the Bill which enacted that the members of the India Council would in future hold office for 12 years, Mr. Ayrton objected to it because it did not deal with the then existing members of the Council, and because when that clause became law, the Council of India would be composed of two classes of members. He contended that as the Act of 1858 had contemplated a prospective change before the expiry of ten years, there would be no injustice in applying the new provision to the members appointed thereunder. He contended that the only justification for the existence of the India Council was that it supplied a link of connection between the Indian Minister and those who were administering affairs in India,—a justification which pre-supposed that the members of the Council possessed fresh, and not antiquated or obsolete, experience. He objected to the continued employment as members of Council of gentlemen of 80 years of age who could not be presumed to have any recent experience of India. That was not a state of things which the House should encourage. "The Secretary of State would be prepared after this year (1868) to get them to retire on pensions of 500 a year; but he denied that this was the proper mode of treating this question. They should show some regard for the revenues of India. Members of Council were in receipt of very large pensions from the Indian revenues already. They had been Directors of the East India Company, with £ 500 a

year and unlimited eating at the India House, and now they were in receipt of £ 1,200 a year. What possible moral claim then could they have to receive pension." Mr. Ayrton accordingly very strongly urged the advisability of subjecting the whole Council to the proposed legislation: He also objected to the proposed tenure as being too long, and concluded by moving an amendment. Some discussion then ensued, after which the clause was passed, ten years having been substituted for 12 years.

On Clause (2) regarding salaries of future members of Council, which were proposed to be fixed at £ 1,500 per annum each without pension, Lord William Hay proposed an amendment having for its object the limitation of the tenure of old members also to ten years. Some discussion then ensued about the unfairness of the proposed limitation as thereby the old members would be deprived of their pensions. During this discussion Mr. Ayrton again protested against the double system of pensions (once for service in India and again for service in England). The discussion, however, ended in the withdrawal of the amendment on the understanding that at a later stage Mr. Mill's amendment would be considered to the effect that the old members should be allowed to serve for five years more under the proposed arrangements or to retire on pension. M Otway then proposed an amendment to the effect that the salaries of future members should be £ 1,200 and not £ 1,500 per annum as proposed. In support of his amendment he said that some officers of State received no more, while members of the Board of Admiralty received only £ 1,000. He then added:—"He thought it very undesirable that under pretence of introducing 'fresh blood,' officials should be elected to the Council immediately upon their return from India, as any misgovernment which might have attended their administration would thereby be condoned. We were bound to consider the revenues of India even more than our own, because the people

of India were not represented in that House. He thought it little creditable to the Government that, in a Bill brought forward with such a flourish of trumpets, the principal clause should be to improve the position of the members of the Council, an institution which he regarded as of very questionable utility, as he considered that they had only proved themselves obstructives." Mr. Mill and two other Honourable Members thought the proposed increased salary a proper one, the more so as no pensions would in future be given. Sir Stafford Northcote replied to the observations and said a good deal about the utility of the Council of India. He said that the Indian Minister occupied a position very different from the position of other Ministers. "The Secretary of State for the Home Department, or the First Lord of the Admiralty, for instance, lived in an official atmosphere in which they must be certain to gain valuable information; they were constantly meeting people also who set them right if they were going wrong. But the Indian Minister had no such chances thrown in his way. The Indian newspapers formed but a very imperfect source of information, while the chance visits to England of distinguished personages could hardly be relied upon as means of obtaining accurate information, seeing that these were not in any way bound to give information or responsible for such intelligence as they might think proper to give." Mr. Otway's amendment, having been put to the vote, was negatived by a large majority, the division showing that while only 26 voted for the amendment, 73 voted against it.

On June 27 Sir Stafford Northcote moved that the Order of the Day to go into Committee on the Government of India Bill be discharged, as the Session was too far advanced to enable him to carry the Bill through, the more so because as there still remained several points upon which a good deal of discussion was necessary before their final settlement. He moreover added—and we attach great importance to

that opinion—that “in his opinion the best plan would be when the Bill was introduced next year that it should be referred to a Select Committee”; in other words that a Select Committee should be appointed to inquire into the working of the Government of India Act of 1858. This is no doubt a very important admission. The Order having been discharged, the Bill was accordingly withdrawn.

Soon after Parliament was dissolved and the General Elections resulted in putting Mr. Gladstone into office with the Duke of Argyll and Mr. Grant Duff at the head of the India Office as Secretary of State for India and Under-Secretary of State for India respectively. This new Parliament met on December 10, 1868, and on April 6, 1869 the noble Duke announced in the House of Lords his intention to proceed with the Bill introduced by the preceding Government. In reply to a question from the Marquis of Salisbury he further added that the new Bill would not contain any new clauses relating to the financial control of the Council of India. On April 19 accordingly the noble Duke moved the first reading of the Bill. At the very outset of his speech in support of the motion the noble Duke referred to the question of financial control which the Marquis of Salisbury had raised in the preceding autumn. In one of his speeches at Manchester Lord Salisbury had said:—“I do not know whether it is sufficiently carried home to your minds that in reference to every question in which expenditure is involved—that is to say, as you well know, in reference to every question of every kind, because I believe there is hardly any question in which expenditure is not involved directly or indirectly—the Indian Council have the power of absolute and conclusive veto by a bare majority over the decision of the Secretary of State”. Having quoted this passage from Lord Salisbury’s speech the Duke of Argyll proceeded to state his view of the question. As the point involved in the question is very

important, and has an important bearing upon the subject of the India Council itself, we produce *in extenso* that portion of the speech\* :—

In the first place, it is to be observed that the 3rd clause of the Act of 1853, which transferred the nominal government of the Company to the Crown, specifically deposited, not in the Secretary of State in Council, but in the Secretary of State alone, all the powers formerly exercised by the Court of Directors and by the Board of Control, whether jointly or separately, "save as hereinafter otherwise provided"—that is to say, except as altered by the subsequent clauses of the Act. Now, two questions arise from this enactment—what were the powers formerly exercised by the Board of Control, and how far were those powers altered or affected by the subsequent clause of the Act of 1858? As to the first point, I need hardly remind the noble Marquess that the powers formerly vested in the Board of Control were absolutely despotic. By Mr. Pitt's Act of 1784 the whole powers of the Government of India, as well in the disposal of the revenues of India as in other matters, were vested supremely in the Board of Control and this in three different ways—First, the Board might alter to any extent it pleased any draft despatch drawn up, by the Court of Directors; secondly, if the Court of Directors kept silence upon any question and refused to send in any draft despatch within fourteen days after a demand to that effect, the Board had the power of drafting a despatch itself and sending it to the Directors, directing its transmission to India; while, thirdly, through the machinery of the Secret Committee upon all purely political questions which were defined by the Act, it had the power of itself issuing orders directly to India without their going through the hands of the Court of Directors at all. The Board of Control, therefore, as re-

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\* We think it will contribute to the proper understanding of this technical question if we give here that section of the Government of India Act of 1858 to which the controversy refers. Section 41 runs as follows :—"The expenditure of the revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, and no grant or appropriation of any part of such revenues, or of any other property coming into the possession of the Secretary of State in Council by virtue of this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council." The other section which also relates to this same controversy is Section 3 of the same Act which transferred all the powers of the Court of Directors of the East India Company and of the Board of Control to the Secretary of State for India with the exception of the reservation made in Section 41.

presenting the Crown, was under that Act absolute and despotic on all questions affecting the government of India, including the disposal of its revenues. It may be asked, was there no limitation whatever on this power; was there no financial veto left to the Company over the government of the Crown? To that I reply, that by an Act passed four years subsequently such a veto was actually given; and this Act and the circumstance under which it arose show plainly the origin of that veto and its nature and extent. Very shortly after the passing of the Act of 1784 there was a serious danger of war with France, and alarm being felt in this country with regard to the safety of our Eastern dominions, the Government of Mr. Pitt proposed to send out four regiments for their defence. The proposal was at the time agreed to by the Court of Directors; but, the alarm passing away, they said they no longer required these troops, and refused to pay for them. Mr. Pitt told the Court of Directors they had no right to refuse to pay, as the Government had the right to send the troops for the safety of the dominions of the Crown. The Directors, however, took counsel, which to a certain extent fortified them in their opinion; and it was argued that the terms of the Act of 1784 were so general that they did not necessarily imply that the Board of Control had power to order payment for these troops out of the revenues of India. The consequence was that Mr. Pitt applied to Parliament, not for a new enactment, but for an Act declaratory of the intentions of the previous Act—the very questions raised by the noble Marquess being thus raised in 1787-8 by the Court of Directors against the power and influence of Mr. Pitt. One of the most memorable debates of that most memorable time arose upon this, the Bill being vehemently opposed in one House—and indeed to some extent in both—and it being ultimately carried by majorities which, though considerable, were smaller than those which Mr. Pitt then had at his command on other subjects. Mr. Pitt avowed—for the first time, as Mr. Fox said—that he meant by the Act of 1784 to take into the hands of the Crown the complete and absolute control of the Government of India, including the disposal of its revenues. But objections being urged against the scope of his declaratory Act, he agreed to introduce two clauses defining certain circumstances and cases in which the Court of Directors were to have a financial veto on the action of the Crown. Mr. Pitt, having stated in the broadest terms his desire to keep in the hands of the Crown the whole government of India, made this answer to the objections that had been urged.—

“The next objection which had been stated as dangerous to the Constitution was the possibility of the Commissioners perverting the application of the revenues of India, for the purposes of creating



undue influence, by directing any increase of salaries or perquisites of their servants abroad; or in the improper distribution of gratuities, to the prejudice of the true interest of the service. With respect to these he was extremely desirous of providing every check, and for this purpose he had prepared two clauses; the first was to prohibit any increase of salary to the Company's servant abroad; the other was to prohibit the Board from ordering any gratuity, &c".—[*Hansard, Parl. History, XXVII, 152.*]

Two clauses were accordingly inserted which defined the financial veto which he proposed to leave in the hands of the Court of Directors. They were in these terms.—

"It shall not be lawful for the Commissioners for the affairs of India to give, or cause to be given, any directions ordering or authorizing, by any despatches sent to India, the increase of the established salaries, allowances, or emoluments of any office in the service of the said Company beyond the amount at which the same are now fixed by the Court of Directors. It shall not be lawful to give, or cause to be given, any extraordinary allowance or gratuity, &c".—[*28 Geo. 3, c. 8, s. 3.*]

Now, it is obvious that the object of this veto was to prevent political jobbery—to prevent the Minister of the Crown from using the revenues of India for the purpose of acquiring political influence by bribing the servants of the Company. That was unquestionably the only financial veto of the Company up to 1858. The question next arises, what was the change made by the Act of that year? I must remind the House that the avowed object of that Act was to transfer whatever remained of the nominal government of the Company to the Crown; and I need hardly say that, if anything in it really had the effect supposed by the noble Marquess, Parliament must have utterly failed in that object, for, instead of transferring to the Crown all such powers as remained in the Company, it must have transferred to the majority of the Indian Council the whole power of political administration, as far as that administration affects the administration of the revenue. That, surely, is not a very likely interpretation to put upon any words of the Act of 1858, for it is morally impossible that Parliament intended to give the majority of the Council powers which were never exercised nor claimed by the Court of Directors, and which would virtually place the whole administration of India, so far as expenditure is concerned, and including, of course, the power of peace or war—powers formerly possessed by the Crown—in the hands of a majority of the Council. It was absolutely impossible that such could have been the intention of the Government. As a member of Lord Palmerston's Administration I can say that such was not the intention of that Government; and, I believe, it was quite as little the

intention of the Government of Lord Derby, which actually had the conduct of the measure that transferred the government of India from the Company to the Crown. What is the excuse for this interpretation of the Act of 1858? The words are simply these—and your Lordships will observe how closely they follow the obvious intention and purpose of Mr. Pitt's original financial veto—

"The expenditure of the revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, and no grant or appropriation of any part of such revenues . . . shall be made without the concurrence of a majority of votes at a meeting of the Council."—[21 & 22 Vict. c. 106. s. 41.]

The words are "no grant or appropriation." I take it the word "grant" is strictly parallel with the financial veto as defined by Mr. Pitt. It means the grant of money to individuals, the increase of salaries, or the making without the consent of the Council, of any gifts which may be perverted for political purposes. The word "appropriation," I admit, is not quite so clear; but I think that those who drew the Act were hardly aware of the manner in which financial operations are conducted in the Government of India. In this country, of course, all expenditure is voted by Parliament, and an Appropriation Act is passed sanctioning the application of the money to particular purposes; and I quite admit that, though the Secretary of State would have the power to order any services to be performed, yet, if the majority of the Council could veto the payment for those services, they would have it in their power to checkmate the power of the Secretary of State. But, according to the usual practice of the Government of India, no system of vote or appropriation is necessary for the payment of services in India, and it is the opinion of all whom I have consulted, including the Law Officers of the Crown, that under the present statute it is unquestionably in the power of the Secretary of State for India to order in India any service which may appear to be required. Payment for this service is made in India, and the disallowance of that payment is not competent to the Council, without the sanction of the Secretary of State. It follows from this argument—which I believe to be well founded both upon the historical facts of the case and the words of the Act—that the Secretary of State is supreme in all matters whatever, except simply such matters as were included under the principle of the financial veto of Mr. Pitt—that is, direct grants or appropriations of money to persons either here or in India which might be made for purposes of political jobbery. That I believe to be the state of the law; and if it be, I need hardly say that it makes the Secretary of State practically supreme in all matters, whether they do or do not cost money—because there is no question that with regard to political services which do not cost money

he is absolutely supreme, and may even send out despatches without the knowledge of the Council at all; the only restriction being that if he over-rules the majority of his Council on any question, except those that would formerly have come before the Secret Committee, he is bound to record his reasons, which is, I think, a very reasonable precaution against rash or hasty decisions on the part of the Secretary of State.

Having thus shown that the Council of India did not possess under the Act of 1858 any such financial control as was supposed by Lord Salisbury, the noble Duke proceeded to explain the nature of the Bill; but it is hardly necessary for us to summarize that portion of the noble Duke's speech, because there is nothing in that speech which has not been already stated above. Suffice it to say that he admitted the necessity of surrounding the Indian Minister by a Council of Indian experts, and also that he accepted the importance of issuing new and fresh blood into the Council by changing the life tenure into a limited one for ten years with a provision, of course, that in exceptional cases a member of Council, whose original term had expired, might be reappointed for a further term of five years. The noble Duke's Bill did not propose to increase the salaries of the members of Council.

Lord Salisbury who followed next suggested the repeal of that provision in the Act of 1858 which enacted that half of the Council were to be nominated and the other half elective. He said that such a system was opposed to the British constitution which invariably required all such nominations to be vested in the Crown, that is, in a responsible Minister of the Crown; and that it was adopted in 1858 simply by way of a compromise for the purpose of disarming the opposition of the East India Company and of its supporters to the transfer of the Government of India to the Crown. He contended that the circumstances, which then necessitated such a compromise, having now ceased to exist, the opportunity which had presented itself should be availed of to remedy that defect. He also expressed his apprehen-

sions that as the provision for granting pensions to the retiring members of Council was proposed to be repealed without any addition to the substantive pay by way of compensation, a great difficulty would be experienced in obtaining the proper class of persons to serve in the Council, and he accordingly urged with great earnestness the reconsideration of this point upon the attention of the noble Duke. Lord Halifax also bore his testimony to the utility of the India Council and generally supported the Bill. He did not agree with Lord Salisbury in thinking that a great difficulty would be experienced in obtaining the proper class of persons to serve on the Council, though in future there was to be no prospect of pension. Lord Lyveden, who as President of the Board of Control in Lord Palmerston's administration had drawn up the India Bill No. I of 1858, expressed his regret that the noble Duke's Bill did not go much further. He thought that all the members of Council should be nominated by the Crown, and that fifteen was too large a number. Lord Lawrence, who took part in this debate, said that instead of fifteen being too large a number the number might with advantage be increased; that all members should be nominated by the Crown; and that though in future there would be no pensions, no difficulty need be experienced in securing the services of the best men. We might here add that Lord Lawrence had, before he was appointed Governor-General of India, served as a member of the India Council for five years. The Bill was accordingly read a first time after the debate had closed.

On April 28 the Duke of Argyll moved the second reading of the Bill, and the debate that followed was entirely confined to the subject of the financial control of the Council. Lord Cairns, the Lord Chancellor in the preceding (Mr. Disraeli's first) administration, opened the debate, and was followed by Lord Hatherley, the Lord Chancellor in Mr. Glad-

stone's administration. Both these eminent authorities supported each his own view, though it needs scarcely be added that both of them agreed on one point, namely, that the Council of India should not have any such financial control over the Indian Minister which of course thereby impaired the Parliamentary responsibility of the Government. Viewed in this light the discussion is immaterial to us, except in one particular, and it is this that, whichever of the two rival views is accepted as correct, it is clear that it saps the very foundation of the justification for the continued existence of this Council of India. We have seen above that the warmest supporters of the India Council, like Mr. John Stuart Mill, did not hesitate to look upon the India Council as "a superfluous wheel" in the machinery, provided it did not continue to enjoy this power of financial control. And while Lord Hatherley maintained that the Act of 1858 did not vest any such power at all in that Council as had been fondly supposed by its advocates, Lord Cairns, who maintained that that Act did arm it with that power, contended on the other hand that it ought to be forthwith deprived of it as being clearly opposed to the theory of the constitutional responsibility of the Minister to Parliament. It will be thus clearly seen that whichever of the two views commends itself to the judgment of the student of this very important question, both of them do actually lay the axe at the very root of the institution, and are calculated to remove entirely the only justification for its existence at all. Lord Lyveden and Lord Chelmsford thought it on the whole better that as there existed a great deal of doubt regarding the precise meaning of Section 41 of the Act of 1858, the same should be removed by a new section in the present Bill, clearly defining the powers of the Indian Minister and of his Council respectively. The Marquis of Salisbury very justly observed that when the Lord Chancellor said a thing was black and two ex-Chancellors said it was

white, there must certainly be some doubt about the law, and his Lordship entreated the noble Duke to reconsider his decision about enacting a declaratory clause. After this interesting debate the Bill was read a second time.

On May 13 the Bill was considered in Committee, Lord Ellenborough deprecated altogether any legislation on the subject at that time, for he said that it was not advisable that no sooner was a system got into working order, than a minister should come forward to suggest great and extensive alterations, as if a constitution was intended for nothing else but to be mended. Lord Salisbury replied by saying that the professed object was to provide a quicker succession of Indian Councillors, and he concurred in the desirability—India being in a condition of such rapid change—of having Councillors possessed of recent knowledge of the country. Lord Salisbury then moved an amendment having for its object the abolition of the elective element in the constitution of the India Council. His Lordship said that in 1858 both Lord Palmerston and Lord Derby were in favour of doing away altogether with the elective element, that the former actually adopted that principle in his India Bill, and that the latter was prevented from giving effect to his own convictions, as he desired to conciliate the East India Company by that concession to its susceptibilities. Lord Lyveden and Lord Lawrence warmly supported the proposal; nay more, Lord Ellenborough himself, who in 1858 was perhaps the warmest supporter of the elective element, and who, as the reader will remember, originally proposed that half the India Council should be elective, and that five of the nine elective members should be returned by the Parliamentary constituencies of London, Manchester, Liverpool, Glasgow and Belfast, very warmly supported Lord Salisbury's proposal to do away altogether with the elective element. But stranger still was the fact that the Duke of Argyll,

who was a member of Lord Palmerston's Government in 1858, spoke warmly in support of the *status quo*, and, having referred to the fact that the power of election vested in the India Council by the Act of 1858 had during the ten years been very wisely and discreetly exercised, added that the fact of the India Council being partly elective contributed greatly to the dignity and independence of the Council not only in its own estimation but in that of others also. Lord Salisbury's proposal was, however, affirmed by a large majority. The next amendment that Lord Salisbury moved related to the much discussed question of the financial control of the Council, and the clause moved ran as follows :—

"Whereas doubts have arisen as to the powers of the Secretary of State over the expenditure of the revenues of India, and whereas it is expedient that such doubts should be removed; be it enacted as follows :—Section 41 of the said recited Act for the better government of India is hereby repealed. The expenditure of the revenues of India, both in India and elsewhere, shall be subject to the control of the Secretary of State in Council, but no grant of such revenues, or any part thereof, no increase in the pay or pension of any person in the service of Her Majesty, and no contract or engagement charging or involving the appropriation of such revenues for a period of more than a year from the date of such contract or engagement, or involving any payments to any other Department of Her Majesty's Government, shall be made without the concurrence of the majority of votes at a meeting of the Council".

The Duke of Argyll objected to the clause and said that if it removed any existing difficulty or doubt, it would create others of a still more grave character. The clause, though it would prevent the Indian Minister from adding £5 to the pay of any office, would not prevent him from creating one with a salary of £5,000; and in the same way it would not prevent him from charging the Indian revenues with the whole cost of the British Navy serving not only in the Indian but even in the Chinese seas, or from doubling the rate of pay of the British troops serving in India, of course with the consent of the War Office.

The actual balance in hand in bank of the Indian revenues ranged from £8,000,000 to £12,000,000, and it would be possible under the new clause, the noble Duke contended, for the Indian Minister to pay the whole cost of the Abyssinian War without the consent of his Council. For such reasons the noble Duke earnestly entreated their Lordships not to pass the new clause and thereby create graver difficulties and doubts. The Marquis of Salisbury subsequently withdrew his clause.

On June 4 the Bill was read a third time and passed without any discussion except a few observations which Lord Houghton made in connection with the subject of removing the disability of the members of the India Council from seeking entrance into Parliament, and also in connection with a distinct provision in the Act of 1858 which deprived the India Council of the services of men like Lord Lawrence who on returning from India might render great service. He commended both these points to the serious consideration of their Lordships. The Bill, having been passed, was sent to the Commons for their consideration.

In the House of Commons the Bill was read a first time and a second time without any discussion whatever. On August 5 it was considered in Committee. Before, however, the Speaker left the chair and the House resolved itself into Committee, Mr. Kinnaird moved that the Bill before the House, along with the other India Bill then also before the House, should be referred to a Select Committee next session. In support of his motion Mr. Kinnaird prominently referred to the emphatic opinion, which Sir Stafford Northcote had expressed on June 27, 1868 when he withdrew his Bill of that year, to the effect that the best course to follow when the Bill was introduced next year was to refer the same to a Select Committee, and added that the House had in fact no materials before it by which it could, properly and with satisfac-



tion to itself, discuss and decide on a matter fraught with such immense results for good or evil to the Governments and people of both countries. Sir Edward Colebrooke supported Mr. Kinnaird's motion and said that the House and the country were very much in the dark as to the manner in which the new Government of India had worked during the preceding ten years. He referred to the new clause introduced into the Bill at the instance of the Marquis of Salisbury, by which the elective element in the India Council was entirely swept away, and entered his protest against the hurried way in which it was proposed to discuss such an important question. The motion was, however, subsequently withdrawn. In clause (2) Mr. Sebastian Dickinson moved an amendment having for its object the imposition of an age-limit to the service of a member of Council; namely, that on his attaining 65 years of age a member must retire. Mr. Dickinson said he entertained great objections to the system now so common of buying out by pensions officials who had become too old for their work, and that they ought not to retain worn out men in the Council, especially because competent men were constantly returning home from India. Mr. Kinnaird warmly supported the amendment. He protested strongly against the India Council itself and said they ought to have a responsible Government. "The Secretary of State for India and the Under-Secretary, with a proper staff, ought to suffice without a Council of old individuals, whose age, according to the Returns, was marvellous." He said some members of the Council were in India thirty years ago since when the greatest changes had occurred there, so that their knowledge of the country was quite antiquated, and that the House ought to be careful not to waste the money of the people of India in salaries and pensions for such a body. The proposed imposition of age-limit was objected to on the ground that though such a limit was necessary in the case of administrators, it was quite out of place in

the case of Councillors. Mr. Dickinson accordingly withdrew his amendment but proposed another to the effect that such of the members of Council, as were appointed under the Act of 1858 but who had not then already completed their ten years' service, should complete that period only and should not be entitled to any pension. This new amendment was negatived by a large majority. The permissive power given by the Bill to the Indian Minister to reappoint a member of Council, whose original term had expired, for a further term of five years, if he thought proper, was objected to by Sir Edward Colebrooke and Sir Charles Wingfield on the ground that it would encourage members of Council, and often tempt them, to ingratiate themselves with the Secretary of State in the hope of reappointment, and would thereby seriously affect the independence of the India Council upon which Lord John Russell and Mr. Disraeli had laid so much stress in 1858. Sir Edward Colebrooke accordingly moved the rejection of the clause. Sir Charles Dilke in reply said that at the time the Council was appointed the idea was to curb the power of the Indian Minister, but that that feeling having passed away, it was now recognized on all hands that the Council should be a consultative and not a controlling body. Sir Charles Dilke further added that the apprehensions of Sir Edward Colebrooke and Sir Charles Wingfield were unfounded, because the Indian Minister could not reappoint any member without good reasons, which, it was provided by the clause, would have to be drawn up and laid before Parliament. The amendment was accordingly negatived. On Aug 6 the Bill was read a third time without any discussion by the House of Commons, and finally received the Royal Assent on August 11, 1869.

The next attempt to amend the Government of India Act was made in 1875, but it was abandoned at the last stage. The general elections of 1874 resulted in restoring the Conservatives under Mr.

Disraeli to power, with the Marquis of Salisbury and Lord George Hamilton at the head of the India Office as Secretary of State for India and Under-Secretary of State for India, respectively. A Committee of the House of Commons adopted the following Resolution on February 15, 1875:—"That it is expedient to authorize the payment, out of the Revenues of India, of Pensions and Superannuation Allowances in certain cases to persons employed in the Home Government of India." We can not undertake to say whether or not there was any discussion in the Committee before the adoption of such a Resolution, for there is no record of such discussion, even if it did take place, available to us. This Resolution was reported to the House on February 22nd and was agreed to, and at the same time a Bill to give effect to that Resolution was introduced and read a first time without any debate. On March 9 the Bill was read a second time without any debate, and on March 12 it was considered in Committee. On that occasion Lord George Hamilton explained that the Bill, if passed, would apply to two classes of persons—first the Auditors of the establishment, and, secondly certain Members of the Council. The noble Lord having then referred to the provisions of the principal Act of 1858 and to the amendments effected by the Amendment Act of 1869, remarked that his Chief thought it advisable, in order to get men of the highest calibre to serve, that power should be given him to grant them pensions if he thought it right to do so. He concluded by saying that the Secretary of State would be bound to lay before Parliament the Warrant or Minute by which he granted such pensions,—a procedure which would furnish ample guarantee against the abuse of that power. The Committee made no amendment in the Bill.

On March 15 Lord George Hamilton moved the third reading of the Bill, whereupon Professor Henry Fawcett moved the following amendment:—"That

it is inexpedient for Parliament to impose any new charges on the revenues of India until the Select Committee which has been appointed to investigate the Indian home charges has completed its inquiry." In moving this amendment Mr. Fawcett complained of the hurried manner in which that measure, which imposed additional charges upon the revenues of India, was pressed forward, and also of the fact that the Select Committee which was appointed the previous year was not renominated that year, the more so because that Committee had not gone further than the threshold of the investigation. He said that that measure proposed pensions to certain officers, but he thought that before any measure of that kind was proposed, the whole question of Indian pensions should be investigated. If such an inquiry was instituted, and he was appointed on the Committee of Inquiry, he pledged himself that disclosures would be made which would startle that House. A gentleman employed in the India Office might enjoy two distinct pensions, and in addition occupy a highly salaried office; and if he had occupied two or more offices under the Indian Government he might get as many pensions. Such a system of pensions, Mr. Fawcett contended, differed very widely from that obtaining in any other country. He then drew attention to the unsatisfactory condition of the Indian finances and observed that "if there was to be profuse liberality and recklessness in the giving of pensions, it should be with the revenues of England, and not with those of India." He then contrasted the financial condition of the United Kingdom with that of India, and said that while in the former the debt was diminishing, the revenue was rapidly increasing, and the expenditure was slowly increasing, in the latter country the debt was increasing alarmingly, and the revenue was diminishing rapidly; and notwithstanding such a state of things the burdens of India were increased. He also said that before any

measure of that kind was proposed, the House should have the opportunity to consider what the character of the Indian Council was,—a Council which, all accounts concurred in saying, was “a most extravagant, costly body.” Mr. Fawcett accordingly insisted upon the strictest economy being enforced, and he added that such an economy could not be expected unless that House discharged its duty towards India. In support of his view Mr. Fawcett quoted the testimony of the then Secretary of State for India himself—the Marquis of Salisbury, who in his evidence before the previous year’s Committee had stated that “the best and only security they could have for economy as regarded the finances of India was the constant watchfulness of the House of Commons.” Mr. Fawcett said that he cordially agreed in that maxim, and concluded by saying that he “for one would watch their affairs and try, by raising his voice, to protect their finances just as much as if the money were to be taken out of the pockets of his own constituents.” Lord George Hamilton briefly replied and repeated the same argument about the difficulty of securing the services of the best men owing to the absence of a provision for pensions. Mr. Kinnaird regretted that more notice was not taken of Indian affairs, and expressed his surprise that “Indian affairs were not discussed until nearly the close of the sitting when not more than 10 or 20 Members were present.” On Mr. Fawcett’s amendment being put to the vote, it was lost by a large majority, the division showing that while 72 voted in favour of it, 138 voted against it. Then Mr. Shaw-Lefevre inquired whether all Members of the India Council would be entitled to superannuation; whereupon Lord George Hamilton replied that those Members who were already in receipt of pensions because of services in India would not be entitled to pensions under that measure. Mr. W. E. Forster asked for the opinion of the Law Officers of the Crown. Mr. Sullivan accordingly moved the ad-

jourment of the debate, which was accordingly adjourned.

On March 18 the debate was resumed when Lord George Hamilton withdrew his motion for the third reading of the Bill and moved instead that it be re-committed for the purpose of reconsidering the first clause, with a view to inserting an amendment to the effect that no Member of the India Council could receive a pension under the Bill if he were in receipt of, or otherwise entitled to, a pension or superannuation allowance. Mr. Shaw-Lefevre and Mr. Childers recommended the withdrawal and reconstruction of the Bill as they considered that in its present form it left matters in an uncertain state. At this stage the debate was adjourned; but when the debate was again resumed on March 23 the Bill was withdrawn. So it was a mere accident that the East India Home Government (Pensions) Bill was thrown out.

The history of this Bill is full of instructive lessons, to which it would not be out of place to briefly advert here. A careful study of all the circumstances connected with the Bill, which very narrowly escaped being passed, throws an immense flood of light upon two things; firstly that the India Council, which Mr. John Stuart Mill looked upon as the representative of India and as a body interested in preventing all wasteful expenditure, promoted that measure for the purpose of improving the position of its Members at the expense of the revenues of India; and secondly that, but for the merest accident, the House of Commons, which has taught itself to look upon the India Council as really interested in Indian matters and in enforcing economy, and which for that among other reasons is indifferent to Indian questions, very nearly escaped being made the tool of a clique bent upon "feathering its own nest." Those members of the Indian Civil Service—and we really doubt if there are any in that Service who do not rightly or wrongly think so—who

are never tired of telling us that if the native members of our Local Boards, urban and rural, were left to themselves, they would be systematically consulting their own individual interests or those of their friends, or caste or small clique at the expense of the general body of rate-payers, and that they themselves have better claims to be regarded as the "shepherds" of the Indian rate-paying sheep than the "so-called" representative native gentlemen—we repeat that those members of the Indian Civil Service would do well to look nearer home, before they again indulge in such extravagant charges. Let the reader look at the development of this India Council, which consists of old Anglo-Indians, and which was aptly described as the fitting representatives of the tax-eating "Services" and not of the tax-paying people of India. Before 1853 the members of the Court of Directors were paid £ 300 each per annum, and the Chairman and the Deputy Chairman £ 500 each per annum. By the Act of 1853 the salary of members was raised from £ 300 to £ 500 per annum, and of the Chairman and the Deputy Chairman from £ 500 to £ 1,000 per annum, as a compensation for their being deprived of their patronage in connection with the Indian Civil Service by its being thrown open to public competition. In 1858 the Court of Directors became the Council of India, and the salary of a member of that Council was raised from £ 500 to £ 1,200 per annum with the right of enjoying £ 500 per annum as pension after ten years' service. All this extravagant provision was, we have no doubt, made with a view to conciliate the opposition of the East India Company to the transference of the Government of India from the Company to the Crown. The Government of Mr. Disraeli in 1868 wanted to amend the law by changing the life tenure of Members of Council into a limited one for ten years, and to make such service non-pensionable, but wanted to raise the salary from £ 1,200 to £ 1,500, the additional

£ 300 being intended as compensation for the deprivation of the right of pension. The Government of Mr. Gladstone in 1869 made the necessary change in the law without adding to the salary. And we find accordingly the India Council taking advantage of the return of the Conservatives to power to renew their claim for pension and trying to carry the measure through Parliament by stealth so to speak. And it was a mere accident that prevented the successful consummation of a bold attempt to improve their own position at the expense of India. These are very instructive lessons taught by the attempt at legislation in 1875.

The attempt having been thus frustrated, a new Bill under an altered designation, namely, "The Council of India (Professional Appointments) Bill," was introduced into the House of Commons and read a first time on February 14, 1876 without any debate. On March 2 Lord George Hamilton moved its second reading, whereupon Professor Henry Fawcett moved an amendment to the effect that "it is inexpedient to pass this Bill, as it would throw an additional and unnecessary charge on the Revenues of India." Mr. Fawcett, after having prominently referred to the tactics followed the previous year, put a difficult question to Government. He asked "What was the reason of all those ungracious devices? Why this indecent haste to give pensions to men who were not entitled to them?" He said "they had heard of a horse being resold with his colour changed and that transaction represented with considerable accuracy what had been done with that Bill." He then referred to the provisions of the Amendment Act of 1869 and said that the appointments under that Act had been eagerly sought for, and he accordingly condemned the proposed course as "most undignified." If a Cabinet Minister went out of office he was not entitled to a pension, and yet that Bill proposed to give pensions to men who took office on the



express condition that they were not to be entitled to retiring pensions. And he concluded by saying that "if we were so careless about granting pensions in India, and so indifferent to the extravagant expenditure of the Government there, what would the people of that country think of our guardianship of their interests?" And he felt sure that "they would not be mollified by the association of their country with the Imperial titles of the Sovereign." The reader will scarcely require to be reminded that it was to the Royal Titles Bill for enabling Her Majesty to assume the title of "Empress of India," then before the House that Mr Fawcett alluded in his closing remarks, and which was vehemently opposed by all the distinguished leaders of the Liberal Party, the result being that it was passed by a small majority. Lord George Hamilton in reply said that the object of that Bill was to enable the Indian Minister to secure the services of the best possible men on the Council. He said there was no difficulty in getting old Indians to join the Council on the then existing terms; but that there was a difficulty of getting gentlemen of legal attainments, not old Indians, to join the Council on those terms. It was accordingly proposed by that Bill to empower the Indian Minister to appoint certain gentlemen of professional attainments for 15 years with pensions of £500 after ten years' service, and he said it was believed that that was the cheapest way of obtaining legal advice. The noble Lord then referred to the home expenditure and said that the increase therein was inevitable, though in those branches which the Indian Government could control there was a decrease. He then quoted certain figures in support of his contention. Sir George Campbell, the late Lieutenant Governor of Bengal, followed next. He is a fair specimen of "old Indians," and affords us a fair insight into the views of this class on the subject of the Indian Council and into their manner of looking at it. He approved of the pro-

posed introduction of some legal element into the Council, but added that he would deprecate the introduction of too many lawyers and especially of lawyers distinguished from jurisconsults. He looked upon the provision of £ 500 as pension after a service for a fixed term of years as "a trumpery pension"—a mere drop in the ocean by comparison. And then he advocated that a similar provision should be made for all the members of Council. He said:—"There were men of great weight and value now on the Council, who would not have taken office on the reduced terms. He had himself been appointed to a place in the Council and possibly, if the terms had been the same as they were prior to the Act of 1869, he might never have left it. He found, however, that if he chanced to live ten years he should be thrown out of the Council without a profession and without pension, and he resigned this precarious situation. His experience thus showed that there were cases in which the inducements of a seat in the Council were not such as to lead men of very humble pretensions to care to retain it." And he concluded by expressing his regret that matters of so important a nature should be dealt with by patch-work legislation, and accordingly expressed an opinion that the whole constitution of the Home Government of India should be overhauled and reconsidered.

In reply to an inquiry from an Honourable Member Lord George Hamilton said that the provisions of the new Bill were not intended to apply to those merchants who were members of the India Council. Mr. Grant Duff and Sir William Harcourt warmly supported the Bill, while Mr. T. E. Smith said he would feel it his duty to oppose any Bill which would cause further increase in the expenditure. The Bill was then read a second time. In the Committee there was no discussion, nor was any amendment proposed; and so on March 9 it was read a third time and pass-

ed by the House of Commons without any further discussion.

On March 17 in the House of Lords Lord Salisbury moved the second reading of the Bill, in doing which he made a few remarks, identical with those made by Lord George Hamilton in the Lower House. Towards their conclusion the noble Marquis added that not more than three persons would be appointed to the Council under the new measure, and that the special reasons for every such appointment would be embodied in a minute by the Secretary of State which would be laid before Parliament; and finally that the holder of every such appointment would hold office for 15 years certain and after that would be removable by the Secretary of State at his pleasure. He concluded by saying that the provisions of the Act of 1858 in respect of the number of the Council, and the qualification of the major part of them were not to be affected by that Bill. Lord Lawrence and Lord Sandhurst, like Sir George Campbell, thought the proposed measure to be open to grave objections because while it provided pensions to one portion of the Council, it denied that privilege to the other portion, and thus sanctioned an invidious distinction between those two sets. They proposed that the salary of a member of Council should be increased so as to do away with pension altogether, or that pensions should be given to all without any invidious distinction. The Duke of Argyll, while admitting the objection based on the ground of the so-called invidious distinction, justified the proposal on the ground that there was no difficulty experienced in getting retired "old Indians" to serve on those terms because they were already in possession of their Indian pensions, and that there was no hardship in their case. The noble Duke also thought that the number of appointments to be filled under that Bill should not exceed two, and he objected to the persons so selected being removable after 15 years' service at the pleasure of the Crown. Lord Salis-

bury then briefly replied to the debate. He said that he fully agreed with Lord Lawrence and Lord Santhhurst as to the necessity of giving pensions to all members of Council alike without any invidious distinction, and then added that the reason "why he had not made a proposal of that kind to their Lordships was that the House of Commons had shown so much repugnance to it." He also agreed with the noble Duke that it should not be left to the discretion of the Secretary of State to put an end to the official existence of any person appointed under the Bill, and promised to reconsider that proposal. The noble Duke then suggested that the evil before complained of, and to which he had referred in his previous observations, would grow up again if the members were appointed for life, namely, that after a time the experience of such persons and the value of their advice would become deteriorated; and he accordingly proposed that the tenure of the proposed new members should be for 15 years only.

On March 21 the House of Lords proceeded to consider the Bill in Committee. The Bill, as drafted and passed by the Lower House, provided that the proposed new professional members should hold their office for 15 years certain and after that period during the pleasure of the Crown with a retiring pension of £ 500 per annum. In the Committee Lord Salisbury moved to leave out the words "during the pleasure of Her Majesty" and substitute in their stead the words "during good behaviour," thus making the tenure a life tenure. In support of his amendment the noble Marquis said that while in the case of Councillors appointed on the ground of Indian experience the value of that experience diminished with the increase in the period of their retirement and absence from India, the case of Councillors appointed on the ground of professional qualifications was different, and there was no reason why the value of professional qualifications should diminish in that way. The Duke of Argyll, while admitting the difference which Lord

Salisbury had pointed out, still thought that as a rule Members of Council should not hold office longer than for 15 years. He thought the noble Marquis would scarcely hold that there was no interval after which the professional qualifications of a lawyer became less valuable. He further thought that unless the retiring pensions were larger than £500, Members of Council so appointed, like those "old Indians" appointed under the Act of 1858, would prefer continuing in office and drawing £1,200 to retiring on pension; and he accordingly suggested that the amount of pension should be increased so as to induce worn out men to prefer retiring to continuing in office. He said he was aware that the charge of extravagance in respect of home charges of the Government of India was continually thrown in their face, but though giving a claim to all Members of Council to retiring pensions would be open to such a charge, he thought that his proposal would not be open to being similarly denounced. Lord Salisbury did not agree with the noble Duke in thinking that longevity diminished the value of professional qualifications. He said that there was considerable force in the observations of the noble Duke as regards the Members of Council holding on too long, but he thought on the whole that it was better to run that chance than the chance of losing a good man by a provision making retirement obligatory at the end of 15 years' service. The amendment was made accordingly, and the Bill was read a third time on March 23 and passed. It received the Royal Assent on April 7.

It would not, we think, be impertinent to the subject in hand if we availed ourselves of the present opportunity to make a few observations which suggested themselves to us on perusing the speeches of Sir George Campbell, Lord Lawrence, and Lord Sandhurst, but especially the former. Sir George Campbell, speaking with conventional modesty, told us how the absence of a provision for retiring allowance

ces to Members of Council appointed after 1869 led him, a man "of very humble pretensions," to throw up his appointment on the India Council; and how otherwise he might have held on, and how other persons of greater pretensions than himself had, presumably for the same reason, refused to accept the "precarious situation." We then said that Sir George was a fair specimen of retired "old Indians," and that he afforded us a fair insight into the manner in which, and the point of view from which, they looked at the question of the India Council. It is really surprising that after a long connection with India and after their so called or rather boasted interest in the welfare of India and her teeming millions, that interest should not be anything more than mercenary or dictated by self-interest of the individual or of the class to which he belongs. That while in the service, so also after his retirement from service in India, the thoughts of an average Anglo-Indian,—we are here speaking of the class generally, though there are of course a few honourable exceptions,—should be all centred on one question—his pay, allowances, furlough, pension &c., and that he should be incapable of entertaining any elevated feeling about the privilege or honour of serving a country in which so many valuable years of his life had been passed and which afforded him a useful and honourable career, is really astonishing. Retired "old Indians," if they can succeed in securing a seat in the House of Commons, are quite prepared to serve their country in that capacity without of course any remuneration, but if they be called upon to do the same thing for India, they must needs have not only ample remuneration but a liberal provision for pensions also!!! This feeling of having *quid pro quo* for any services done to India appears to be so strong that, as very pithily expressed by Sir Stafford Northcote during the discussions in Committee on the abortive Bill of 1868, "the chance visits to England of distinguished personages could hardly be relied upon as means of ob-

taining accurate information, seeing that *these were not in any way bound to give information, or responsible for such intelligence as they might think proper to give.*" These are no doubt sad and unpleasant reflections, hardly creditable to the Indian bureaucracy, and we are not inclined on the present occasion to pursue the thread of these unpleasant reflections any further beyond the limit very naturally suggested by the perusal of the debates.

We shall now close our summary by summing up the results of the two Amendment Acts for the sake of easy reference. The changes introduced by the Act of 1869 are:—

(a) The tenure of office by a member of the Council of India was changed from that for life to one for a limited period of 10 years with a further provision that in exceptional cases the Indian Minister had the power, for reasons to be laid before both the Houses of Parliament, to reappoint a retiring member for an additional term of 5 years.

(b) The retiring pensions of £ 500 were abolished without any addition to the salary which stood at the same amount as settled by the Act of 1858, viz, £ 1,200 per annum.

(c) The India Council was deprived of the sole power it enjoyed under the Act of 1858, of making appointments at their discretion of Members of the Executive Councils in India, and the power was transferred to the Crown.

(d) The provision in the Act of 1858 empowering the India Council itself to fill every alternate vacancy in its own body by the process of self-election was repealed, and the power of nomination was entirely vested in the Crown.

The changes introduced by the Act of 1876 are:—

(a) The Indian Minister was empowered to appoint persons of professional qualifi-

cations as members, provided such appointments did not exceed three in number. (These new appointments, it is further provided, are to be included within the total number of 15 members as fixed by the Act of 1858.)

(b) Members so appointed hold their office during good behaviour or life with a provision of £ 500 as retiring pension after 10 years' service.



## FIVE YEAR'S ADMINISTRATION OF SIR JAMES FERGUSSON.

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Those who can read well the signs of the times must have felt deeply interested in the proceedings of the great demonstration which took place in London, when Lord Ripon was honoured by his party at the National Liberal Club, and they will no doubt contrast them with the proceedings held in Bombay later on, when the Byculla Club paid similar honours to our retiring Governor by a public dinner. While Lord Ripon received an ovation of grateful thanks-givings from the Native community here, the Anglo-Indian community stood aloof, sulky and dis-contented, and it was only after his retirement that it would consent to show the ordinary courtesies due to a departing Indian Pro-consul. A careful study of the speeches made on the two occasions referred to above will show clearly to all how wide is the gulf which separates the compact Anglo-Indian governing body of administrators from the advanced leaders of thought in England, and how divergent are the lines of policy which meet with their respective approval. The strength of the Anglo-Indian element, represented by such men as the Hon'ble Mr. Peile and His Excellency Sir James Fergusson, can not well be compared with the power of the great Liberal leaders like Sir William Harcourt, Lord Hartington, Lord Derby, Sir Charles Dilke, and last, but not least, Mr. Bright. The Indian bureaucracy, however, derives all its strength from the fact that it is the advanced guard of a great English party, and represents its accepted principles. The people of India have to make their choice between the Liberal and the Conservative thought of England, for although the leaders of both parties profess their anxiety to keep India out of party struggles, it is becoming every day more and more evident that it is impossible for the people of this country to stand aside

perfectly unconcerned. Mr. Peile indeed advised the Natives of this country to be content to address themselves in a constitutional way to the Government as established in India, and not try to swim in the troubled waters of English party politics. This advice was certainly well-meant, and it has its lessons for the thinking portion of the native public, which, we hope, they will take to heart. At the same time, it is abundantly clear that there has been no single measure of Indian enfranchisement which has not been due to the struggles of English party politics. The great Regulation Act of 1784, the opening up of the trade of this country, the gradual weakening of the power of the East India Company, and its final abolition, the Charter Act of 1833 with its memorable announcement of the equality of all classes of Her Majesty's subjects, the Educational Despatches of 1854 and 1859, the opening of the Indian Civil services to competition, the constitution of the Indian Legislative bodies and of the High Courts of Judicature, and the admission of native members in them, and finally, the reversal of the annexation policy,—in fact, every single advance in the political progress of our people has been initiated not by the Government here, but by public opinion in England, making itself manifest through its party organizations, and their desire to discredit and out-bid each other in the alternations of party triumphs. It is true that, as long as the East India Company was maintained in power, both parties in the state did alternate service to India in their jealousy of the Company's monopoly. Since 1858, when English opinion began to act directly on great Indian questions, the divergence of views between the representatives of both parties has become daily more pronounced, and within the last ten years, the opposition between those who would govern India in English interests, and those who profess an anxiety to govern her in her own interests,—between those who would keep up the predominance of race and its exclusiveness, and those who

would gladly see it minimized,—between those whose watchword is like that of Sir Fitz-James Stephen, Force and Order, and those who, like Mr. Bright, Mr. Gladstone, and others, would gladly make amends for the past by promoting liberty, and securing the elevation of the native races,—the opposition between these two schools is a fact which no native thinker can afford to forget. The interest of the two demonstrations centres in this opposition, and we do not think we can better commence our review of Sir James Fergusson's career as Governor of this Presidency than by commending to the attentive consideration of our readers, the speeches delivered on these two memorable occasions.

It would be injustice to Sir James Fergusson to compare him with the great names of Indian History. To be judged fairly, a man must be judged by his surroundings, and the sphere in which he has been brought up. The conspicuous merits of Lord Ripon's personal character, and the success of his administration, measured not merely by the positive reforms carried out by him, but by the practical and beneficent shape given by him to the political education of the country, have a tendency to throw into the shade all contemporary subordinate rulers. Sir James Fergusson no doubt suffered from this eclipse. A thoroughly good and honest man, and a pains-taking conscientious officer, it was no fault of his that the genius of statesmanship of the highest order was denied to him by Nature, and by the subordinate character of his duties as Governor of this Presidency. He was himself painfully conscious of his own weakness, and, in the closing period of his administration, he openly confessed that he had failed to win the confidence of a large portion of the community. His faults of temper involved him in many small matters into disagreeable differences both with the European and Native Communities, and though he made amends for many of his errors, he never succeeded in inspir-

ing enthusiasm in those who were not brought into more immediate contact with him. Now that he is gone, we think it would be ungenerous to dwell at length upon these little incidents which, after all, find little place in History. We propose to ourselves the more congenial task of reviewing the larger facts of his administration, and will only incidentally notice the short-comings of his rule in so far as his successors may learn to profit by his failures.

As is the case with all men who are appointed to high offices directly from England, the first year or two of Sir James Fergusson's administration was spent by him in a sort of apprenticeship, during which period he naturally relied upon the support and experience of those whose long training in the civil service of India justified the confidence that was placed in them. It was a misfortune under these circumstances that, during this trying period, the senior member of the Bombay Council was a man with patriarchial notions of authority, one who exaggerated in his person all the weaknesses of temper and character which absolute power engenders. The other member of the council was indeed a man of a different type of character, but he was so reticent and exclusive by nature, that he had no power for good, and could only protest with the individual weight of his opinion. It was this misfortune that marred the usefulness of Sir James Fergusson's early career, contrasting in this respect unfavourably with his more immediate predecessor's iron will and self-satisfied temper. Latterly, Sir James Fergusson was more fortunate in the character of his co-adjutors and advisers, but even under these more favourable circumstances, he never learned self-reliance, except in small matters in which he could legitimately act on his own responsibility. It becomes thus impossible in reviewing his career to single out the personality of the Governor from the joint authority of the Council over which he presided. In the farewell speech made by Mr. Peile as Chairman of the Byculla Club, this

difficulty was experienced by him in a most awkward manner, and Sir James himself admitted that it was a great relief to him when his chief councillor claimed for the Government collectively the merit of many of the larger measures of administrative reform initiated during the last five years. We need hardly add that, along with the credit, the discredit of the failures also must be similarly shared. We shall first address ourselves to these failures, because they have a special value as warnings to his successors.

Of these larger measures, the question of forest conservancy, and the reform of the Abakari Laws, were most conveniently forgotten by Mr. Peile when he was called on to propose the toast in honour of the retiring Governor. Both these were legacies left by the irresponsible activity of Sir Richard Temple. Sir James Fergusson and his Council, most unaccountably as it seems to us, identified themselves completely with these departments, thereby abdicating the proper control which rests with the Government. To take up the forest department first, we find that the forest area exceeds at present one-ninth of the whole extent of the Presidency, two-thirds of it being reserved forest, and one-third protected. Comparing the figures of 1878-79 with those of five years later 1883-84, we find that the forest revenues have increased from nearly 12 lacks to nearly 25 lacks, which represents an addition of 100 percent. The cost of collection has during the same interval risen from 10 to 15 lacks, thus showing an increase of net-receipts from nearly two lacks to nearly 10 lacks, or an increase of over 500 percent. The forest area, it is to be remembered, has during the same interval only risen from 13,618 sq. miles to 14,410 sq. miles, or an increase of 7 percent. These figures will show at one glance how very strict and grasping must have been the management of the forest administration during these five years. It is no wonder that, under such circumstances, people complain on all sides of the rigour and severity of

forest laws. Government, it is true, takes credit for having opened agricultural depots for the supply of fuel and *rab* free of charge. But like all such measures entrusted to the mercies of low-paid ministerial officers, these so-called concessions have proved of little help. The pressure of forest laws has been most keenly felt in the Thanna District, and although the people of those parts have exhausted all constitutional methods of agitation, the Government, under the advice of forest officers, has turned a deaf ear to their representations. Sir James Fergusson never went out of his way to make personal inquiries into these grievances, and referred back all complaints to the sinning department. Recently an anonymous pamphlet has drawn attention to the glaring injustice of the proceedings of these officers, and it has been asserted that Government so completely identified itself with this department, that it did not scruple to snub its highest officers, if they ventured to raise a word against the head-long course on which it was launched. Great irregularities have also been discovered in the manner in which the distinction between reserved and protected forests was ignored, and very heavy punishments were awarded for forest offences. No man in his senses would decry the services rendered by a proper system of forest conservancy. But when, in the name of conservancy, the department conserves nothing, and is only bent upon picking every little item of forest produce, dry leaves, grass, wild fruits, decayed branches, myrabolums, and Mhowra flowers, which from time immemorial have furnished the means of living to the aboriginal races, and all access is denied to the cultivators to secure *rab* for their fields, or fuel and timber for their houses; it is certainly time for the higher authorities to exercise a vigorous control over the department, and require it to respect vested rights, and show every consideration for the wants of those who can not make their voice heard. The root of the evil complained of so loudly lies in the fact that

forest conservancy, like the conservancy of towns, can not be turned into a branch of revenue. Sir James Fergusson and his advisers have failed to grasp this cardinal principle, and, as one result of this neglect, his successor will soon have to face the question in its most dangerous complications, without that co-operation of the people, without which no lasting success can be achieved.

We turn next to the other great department of revenue which, during the last five years, has encroached most upon the means of livelihood, and the rude comforts of a large number of most helpless races, whose representations have attracted but little notice on the part of the Bombay Government. Like the forest department, the excise department has also been worked under high pressure during the past five years. The total revenue derived from country spirits has risen from 35 lacs in 1878-79 to nearly 60 lacs in 1883-1884. The revenue derived from wine and beer has risen from 5 to 10 lacs, during the same period. The total revenue of the department rose from 51 to 83 in five years. Taking the larger divisions of the Presidency, we find that, in the southern division, the Abkari revenue has been increased two hundred and fifty percent (from four to ten lacs), in the central division, nearly one hundred percent (from seven to 13 lacs), in the northern division, nearly 80 percent (from 11 to 20 lacs). In the island of Bombay, it has risen from 14 to 23 lacs. The Abkari Commissioner can not even claim the credit of having reduced the number of retail licenses for the sale of liquor, for these licenses have risen from 4,329 to 5,414. The number of wholesale licenses have indeed been diminished, but this is merely a matter of departmental arrangement made with a purpose, for we find that in Ahmadnagar one license covers fifteen shops. Retail licenses for the sale of fermented *Tadi* have increased from 713 to 2,409, and the revenues derived from these licenses have increased from one and one-

third lacks to five lacks. While country spirits and fermented liquors have thus been excessively taxed, the import duty on foreign liquors has remained almost stationary, rising from  $8\frac{1}{2}$  lacks to 9 lacks only in five years, although the value of foreign liquors imported into the Bombay customs office has risen from 31 lacks to 44 lacks during the same interval. We can not be quite sure of the correctness of the detailed figures given above, but there can be little doubt as to their general drift. The Abkari department has been the means of taking away the food from hundreds and thousands of poor *Bhandarees*. It has taxed their principal means of living so heavily as to drive the whole coast population to give up the harmless indulgence of sweet *Tadi* drink, and make themselves beasts by a free resort to distilled and adulterated liquors. So far from checking consumption, we find that, whereas  $14\frac{1}{2}$  lacks of gallons of country spirits, and about a lack of *Maunds* of the same, were consumed in 1878, the quantities consumed in 1883-84 were 23 lacks of gallons, and about one and a quarter lacks maunds. The department has thus traded largely in the vices of the people, and sought only to derive a larger revenue at whatever cost, and at the deliberate sacrifice of many vested interests, and the innocent enjoyments of the people.

We have thus briefly noticed the working of the two departments most completely in the hands of the Local Government. The other departments of minor revenue, such as the customs, opium, salt, stamps, mint, license-tax, are largely under the control of the Government of India, and they show no increase, or the change has been rather the other way. While the gross forest revenue has increased from nearly twelve lacks to twenty-five lacks, and the excise revenue from 50 to 75 lacks, customs revenue has gone down from sixty-five lacks to eighteen lacks, owing chiefly to the abolition of import duties. The



opium revenue has remained almost stationary at the large figure of nearly two and half crores of Rupees, and the stamps revenue has also remained stationary at 42 lacks. The salt revenue, owing to the late reduction, has also gone down from one crore and forty-five lacks, to one crore and thirty-eight lacks. The mint revenue shows a similar falling-off from nearly twelve to five and half lacks, and the assessed taxes show a fall-off from twenty lacks to twelve lacks. We have throughout compared the figures of 1878-79 with those of 1883-1884. Even the land revenue itself has only risen during the same period from three crores and seventy lacks to three crores and ninety lacks.

The abnormal increase, therefore, in the two sources of revenue, of which the Local Government has the most complete management, can not be ascribed to any general increase of prosperity; it must be set down to the excessive zeal of the two departments to work under high pressure the interests confided to their care, and show the largest balance sheet. The truth appears to us to be that the central Government, absorbed in other cares, exercises little or no control over their zealous subordinates in these departments, who earn their commendations for great activity by monopolizing all sources of profits, without much consideration of the private interests and vested rights of the parties more intimately affected by their measures.

We have next to speak of the Land-revenue and assessment department, in respect of which Sir James Fergusson's Government has a much better account to give of its stewardship during the last five years. All revision operations were suspended in the earlier half of this period under orders from the Secretary of State. Lord Ripon's Government moreover developed a policy of land reform, which was to some extent adopted by the Local Government. In the last administration Report of this Presidency, the principal features of this policy have been laid down

with ample fullness. The Bombay Government now accepts the principle that the assessment on land should not be enhanced on account of increased value due to improvements effected by the holder during the currency of the settlement. It is prepared to assert clearly, absolutely, and without qualification, the two simple principles, that assessments will be revised on considerations of the value of land and the profits of agriculture, and that assessments will not be increased on account of increase of such value and profits due to improvements effected by, or at the cost of, the holder during the currency of any settlement. The Government has already brought in a Bill to remove all ambiguity on this point by repealing Section 107, and re-enacting the latter part of Section 106 of the Land Revenue Code, so as to leave no room for doubt. In regard, further, to the question of the exemption of *pot kharab* land, Government has now retraced its steps, and is prepared to carry out Sir Philip Wodehouses' original proposals with the modification that the year 1854 will be the starting point, instead of 1848 as first proposed. Thirdly, the Bombay Government has made up its mind to push on the revision operations so as to complete them in eight years, and after that period the survey and settlement department will cease to exist, and its work will be transferred, partly to the Revenue officers, and partly to the new department of agriculture. Fourthly, the Bombay Government has accepted generally for the whole Presidency the limits of the maximum percentages of enhancement, first proposed by Sir Philip Wodehouse, and which Sir Richard Temple's Government had all but ignored. All these reforms have been forced upon the attention of the local authorities by the pressure of public opinion from below, and the change of policy inaugurated by the Government of India. They furnish the most striking instance of the necessity and the good results of constant agitation in a good cause, which

was the legacy of advice left by Sir Philip Wodehouse to the people of this Presidency. Sir James Fergusson's Government, especially since the Honourable Mr. Peile joined the Council, has no doubt been a strong and wise Government in the matter of its land policy, and the credit claimed on account of it by the representatives of Government must be amply and freely conceded. It was not without reason that Lord Ripon complimented this Presidency upon the large-minded liberality and wisdom of its more recent land settlements. The danger of a change of system, like that which occurred when Sir Richard Temple reversed the traditions of his predecessor, is however not so imaginary as the authorities seem disposed to think, and there are many directions in which the present system needs reform to suit it to the advanced circumstances of the times. Lord Ripon's scheme of initial standard measurements and classifications, as also his proposal to fix initial values, have been most grudgingly accepted by the local authorities, who have further taken no action, so far as this Presidency is concerned, to carry out the scheme of regulated and self-acting suspensions and remissions. The maximum percentages of enhancement have been also fixed too high. The limitations inserted in the new Bengal Tenancy law as regards the moderation of enhancements, and the proportion to gross produce of possible assessments, have much in them which, by parity of reasoning, apply equally to state rights in land. Lastly, Sir James Fergusson's Government, apparently frightened by the prospect of a sacrifice of revenue involved in some of its recent reform measures, has set up a new claim to tax subsoil water advantages, departing in this respect from the settled policy pursued ever since settlement operations began. The dispute here does not relate to the right of Government to levy a higher rate where water advantages are available, but to the practicability of levying such a rate, where the sup-

posed advantage is only latent, and not brought to the surface. The risk of unsettling all previously settled classifications and values is so great, the advantage expected is so slight, while the risk of abuse is so out of proportion great, that we fain believe, notwithstanding the sanction alleged to have been given to the Bombay proposals by the Secretary of State, that the whole question will be again reconsidered, and the new departure condemned as impracticable.

In this same connection, the anxiety evinced by the local Government to better the condition of the agricultural classes by legislative and administrative relief deserves notice, as it is a feature of Sir James Fergusson's administration which reflects the highest credit upon him and his councillors. The energy with which his Government concentrated their efforts against the plague of locusts, which ravaged many districts in 1881 and 1882, laid the whole country under great obligations, and, by securing the intelligent co-operation of the people, the plague was stamped out so thoroughly, and the experience gained in the course of it has been so valuable, that there is little danger of its recurrence proving destructive in the future. The success with which the Agricultural Relief Act has been worked, notwithstanding opposition in high quarters, has already produced a striking change in the decrease of the indebtedness of the agricultural classes, and in the restoration of many thousands of expropriated peasant families into their ancestral possessions. Sir James Fergusson's Government has also been more liberal in the matter of *Tagar* advances, and in granting suspensions in hard times. His Government also most cordially accepted the proposals made to it for the establishment of an experimental Agricultural Bank at Putandar. Lastly, by the creation of a new Agricultural Department, and by placing it under a competent civilian officer, it has done its best to stimulate profitable agricultural enterprise, and to collect and disseminate very valuable information.

The Public Works policy of Sir James Fergusson's Government is closely allied with the efforts made to improve the condition of the agricultural classes. The Bhawanagar and the Gondal Railway was opened by Sir James Fergusson in the first year of his administration. A few months later on, the Rajputana Railway was connected with the B. B. C. I. Railway system, thereby increasing the importance and value of the traffic of which Bombay is the outlet. Later on, the East Deccan Railway from Hotgi to Gadag was opened for traffic. The Bellary line, continued through Hubli to Marmegam on the sea-coast, and the Western Deccan Railway from Poona to Belgam, were undertaken and pushed on with great energy. The latter system of Railways would hardly have been sanctioned but for the personal interest shown in the work by Sir James Fergusson. Along with these lines of Railways, the road communications, intended to feed them with traffic, were also actively pushed on, and the Ambe and the Nani Ghaut roads were constructed with the same energy. It may safely be said that the Southern Maratha Country would never have been brought into easy communications with the rest of the Presidency, but for the persistent efforts made by Sir James Fergusson, whose frequent tours to those parts were intended as much to promote the political, as also the commercial, advancement of that otherwise backward country. The same beneficent energy was shown in the development of the great irrigation projects first set on foot by Sir Richard Temple as protective famine works of relief. The Asti Tank in Sholapoor, the Bhadalwadi tank in the Poona district, the Nira canal, the Mhasvada and Gokak canals, have all been considerably advanced during the last five years. Altogether the Public Works system has received a great development throughout the country under Sir James Fergusson's rule, and the credit of this success must be to a large extent

attributed to H. E. the Governor's personal and indefatigable exertions.

The judicial administration of the country is under the superintendence of the High Court, and the Executive Government exercises only a distant control over it. The practice in consequence has been for the Government to hold entirely aloof, and not to initiate any judicial reform of its own motion. Sir James Fergusson's Government, however, did not fail to realise its responsibility in this connection. By reconstituting the Sholapoor and Broach districts on an independent footing, and increasing the strength of the judicial staff employed, it removed all ground for long-standing complaints. It also encouraged the formation of Benches of Honorary Magistrates, more especially in the larger towns of the Presidency, such as Poona, Sattara, Pandharpur, Dharwar, Hoobli and other places. For the first time it extended the system of trial by jury experimentally into three of the mofussil districts on the plan followed in the Poona district, where the jury system was introduced nearly 20 years ago. The Government also sanctioned a proposal to allow the aid of counsel to persons accused of murder, and unable to defend themselves. These measures taken to improve the administration of justice were very liberal in their character, and we do not think that there will be any two opinions about their beneficent results. In its character of guardian of public interests, Sir James Fergusson's Government did not shrink, when the occasion required it, from exercising the highest prerogative of Government, to set right the mischief of high-handed conduct, which could not be adequately dealt with by the usual process of law. In the famous Hewett case, as also to some extent in Dr. Baug's case, the interference of Government was attended with the happiest results. If the feeling of race animosities and class prejudices has been duly kept under control in this part of the Presidency, the credit of this success is no doubt principally due to the good sense of the

European officials, and the greater manliness of the Native population. At the same time, a considerable share of this credit must be accorded to the fairness and resolute strength of the Government in the exercise of those powers which belong to it by law. In the very first year of his office, Sir James Fergusson put an end to the abuses involved in the impressment of carriages at Mahabaleshwar, which had almost become by force of habit a recognised custom. In all these respects, Sir James Fergusson's Government was honourably distinguished from his immediate predecessor's, and we trust that his noble traditions will be more and more respected by those who come after him.

In educational matters, Sir James Fergusson has well-earned the highly complimentary title conferred upon him by the people of Poona as, after Mr. Mountstuart Elphinstone, the second Educational Governor of this Presidency. Throughout his five year's administration, Sir James Fergusson always spared time to preside at the annual gatherings of the varied Institutions in Bombay and Poona, and though he never pretended to be a great scholar, his extempore addresses did a great deal to encourage these Institutions in their good work. In the short course of five years, primary education received a great stimulus at his hands. The number of boys' schools rose from 4,875 to 6,335, and the number of scholars from 275,000 to 413,000. The number of girls' schools rose from 243 to 382, and the number of scholars from 13,901 to 35,615. The contagion spread to the Native States, and the number of boys and girls schools in these states increased from 1,170 to 1,586, and the number of scholars from 53,000 to 90,000. This great development was achieved without any proportionate increase of imperial expenditure. The increase of this expenditure has scarcely reached one lack of rupees over the amount previously spent (10,00,000 Rs.), and in return for this expenditure, the increase of schools has been 25 percent, and the

number of scholars 33 percent. The cause of primary education has been further strengthened by the association of the people in the new Municipal and Local Board Committees, to whom these schools have been transferred as a statutory charge.

While so much has been done for primary education, the claims of higher education have not been neglected. The Ahmedabad College has been strengthened. Three new provincial Colleges have been started in the three Native States of Bhawanagar, Baroda, and Kolhapoor, and a purely private College has been started in Poona by Native enterprise. This College owes so much to the personal interest Sir James Fergusson took in its advancement, that his name has been worthily associated with it, and we trust it would be a more lasting monument in his honor than any that his predecessors received from the gratitude of the people of this Presidency. The cause of higher Female Education also was advanced by Sir James Fergusson's kindly and liberal support. The high School for Native Girls started in Poona under his auspices, and the opening of the Grant Medical College to Female students, constitute memorable departures from former traditions. The opening of the Veterinary College in Bombay, the establishment of a Hospital for women under the charge of lady Doctors, and the support given to the Mahomedan schools of the Anjuman-i-Islam, all represent most hopeful efforts which will have an important bearing upon the future history of this Presidency. So much good and durable work has been accomplished in all these directions, that the Educational development of this Presidency may fitly be described as the leading feature of Sir James Fergusson's rule, and his name will be handed down to remote generations as worthily associated with this great work.

Sir James Fergusson's relations with the Native States in this Presidency were also marked by such cordial and good understanding, and mutual apprecia-



tion of each other's excellence, that we do not think, ever since Sir Bartle Frere's time, the Native Princes on this side of India have been more attached by ties of personal esteem and good will towards the Head of the Government, than was the case during the last five years. No Governor visited them so often during his term of office, as Sir James Fergusson did in his constant tours. His personal deportment was so cordial in its sincerity, that he made the Princes who came to see him feel perfectly at home, showing them, without stint or stiffness, the hospitality and the winning and agreeable manners of a perfect English gentleman. During his period of office, the young chiefs of Lunawara, Suntha, Edar, Wadwan, Gondal, Morvi, Bansda, Junagad, Wadasinore, and other states, either succeeded to their ancestral throne, or, having attained majority, were placed in full possession of their power. His Highness the Rao of Cutch, as also H. H. the Maharaja of Baroda, were similarly vested with full powers, and the advice which Sir James Fergusson gave to these hopeful princes on these occasions attested the sincerity of his wishes for the prosperity of Native States. The young Maharaja of Kolhapur also succeeded to his Gadi upon the death of his unfortunate father Shiwajee Maharaj at Ahmednagar. The arrangements made at first in consequence of H. H. Shiwajee's illness, and continued after his death, by the constitution of a Regency in Council at Kolhapur, also mark an important departure in the policy of Government towards the Native States. The same consideration was shown in the restoration of the small Jahageer of Jat to its lawful chief, and the assistance in money rendered to the chiefs of Phaltan and Kurundwad in paying off their debts. If in dealing with the disturbances caused by the Mayas, and Girasi out-laws in Junagad, the Government of Bombay showed great weakness, this weakness itself was due to the consideration which the Government felt it to be its duty

to show towards the independence of native rulers. The severity shown in dealing with the Bhattia Maharaja who was convicted of a criminal offence was intended to strike terror, and when that purpose was served, the Government remitted a part of the sentence which it had in the first instance illegally enhanced. Against this act of high-handed severity, we must set the moderation shown in reducing the punishment awarded to Rambhat and others, implicated in the once famous Kolhapoor conspiracy case. The encouragement shown by the Head of Government in all efforts made to improve native states, and to educate their rulers, was attended by the happiest results; for we find that the chiefs of Morvi, Gondal, and Wadwan, and the brother of the Thakoor of Bhavanagar, went over to England to complete their studies. The brother of H. H. the Maharaja of Baroda has also followed the good example, and the Regent of Kolhapoor, not to be behind-hand in the race of progress, left India with His Excellency, with the laudable object of completing his education by a tour in Europe. It was not without reason therefore that the Deccan Sardars and the great chiefs of Katiyavar joined together in bidding hearty farewell to the ruler, who had done so much for them, and who appreciated and respected their position and powers as important factors in the good government of this country.

While in his educational and foreign policy, Sir James Fergusson has left his mark upon the history of this Presidency, we can not ascribe the same success to his work in connection with Provincial legislation. All the larger measures of his Government were passed in the teeth of opposition; but, thanks to Lord Ripon and his advisers, they were for the most part over-ruled and vetoed. The Irrigation Act, passed by his predecessor against the protest of Native members, had to be amended under orders of the Secretary of State, who vetoed the proposal to levy compulsory water rates from the owners

of land in the neighbourhood of canals, whether such lands were benefited or not by the irrigation works. The Cotton Frauds Act was similarly vetoed, so also were the Game Preservation and Mhowra Bills. The impatience of opposition, displayed by Sir James Fergusson in the passage of these last two Bills through Council, reflected no great credit on his sagacity and powers of self-control. He had the unfortunate habit of throwing himself with too much passion into the midst of hot controversies, and he felt as if his dignity, as the official head of the services, would be compromised, if he stood aloof, as his duty as President required, and did not patronise the officials with the full strength of his support. No-where was this weakness more openly manifested than in the way in which the two Local Self-Government Bills were passed by the Bombay Legislative Council in the early part of 1884. The Government was no doubt perfectly justified in adopting the line of moderate and cautious advance laid down by it for its own guidance, but it could not reasonably expect *all* the independent members to follow suit, or raise no inconvenient questions. In the discussion which preceded the introduction of these Bills, the same lamentable want of tact and temper was shown in the correspondence with the Supreme Government. Sir James Fergusson needlessly put himself forward as the champion of the official opposition, and brought on himself a well-deserved rebuke for misinterpreting the intentions of the Government of India. He had to yield, but did not do so with grace. This trait of self-satisfied complacency can be clearly traced in the speeches of the Hon'ble Mr. Peile and of Sir James Fergusson, both of whom claim to have put the brake of caution on the too forward movements of the late Viceroy. Nothing could be further from the truth than such an assumption. This opposition, however, has landed us in a curious dilemma. The Bombay Presidency had no doubt hitherto been honourably distinguished from other parts of India in

the liberality of the legislative provisions of its Local and Municipal Boards. At the same time there was no doubt a great distrust shown by the Government for many years past in refusing to avail itself of the large powers conferred by the Legislature in the matter of granting the elective franchise to the larger Municipalities. When the Government of India pointed out these defects, and suggested reforms, the Local Authorities lost their temper, and very properly were reprimanded by Lord Ripon's Government. This unfortunate difference of opinion eventually led the Local Government to emphasize its policy of caution more pointedly than it would have otherwise done by refusing to accept fully the leading of the Government of India in this and other matters. The measures passed in the Bombay Legislative Council are no doubt in some respects more liberal than those enacted for other parts of India. We refer especially to the statutory recognition of the electoral body, the more perfect independence of management allowed in regard to the appropriation of funds, and the elastic nature of their main provisions which permit a large diversity of constitution in the Local and Municipal Boards. These advantages, however, are to some extent turned to our disfavour by the smaller proportion of the elective minimum, and the absence of a statutory provision that the Boards shall elect their own presidents. These draw-backs are of considerable importance, and though they might be deemed necessary on the first introduction of the experiment of local self-government all over the Presidency, this defence could be legitimately urged only if the Government at the same time carried out its pledge of not continuing itself to a hard and fast rule, but made reasonable concessions to the aspirations of the people in more favoured localities. The recent action of the Government in refusing to give effect to the powers entrusted to it by law has been very disappointing, and it seems apparently resolved upon repeat-

ing the mistake of obstinately sticking to the smallest minimum of liberties in all places, irrespective of all considerations of special aptitude. The policy of local self-government can never succeed if the Executive Government starts it with cold indifference, or positive mistrust of its benefits. In this respect, we trust Sir James Fergusson's successor will not allow himself to be overpowered by official instincts, and that he will inaugurate a more liberal and trustful policy of his own, in full keeping with the advance of the times.

We have thus briefly reviewed all the leading features of the administration of this Presidency during the last five years. This review of the lights and shades of Sir James Fergusson's rule brings out one prominent fact that, while Sir James Fergusson succeeded remarkably well wherever he was left to himself, and where his conservative traditions did not obstruct his sympathies, he was comparatively helpless, and in many cases obstinately perverse, when he identified himself with the official classes, and forgot the nobler function of the Head of the Government, whose chief duty it is to moderate the necessary evils of a centralized bureaucratic despotism, and sweeten the pill of foreign subjection to an intelligent and aspiring subject race.

As a private gentleman, and the head of the social hierarchy, Sir James Fergusson was singularly free from petty feelings of jealousy and exclusiveness. He welcomed all, natives and Europeans, with a free and generous hospitality, and tried to do his best to break down the barriers of race prejudice and jealous domination. Never before were native guests more cordially welcomed in Government House and evening parties, never more were high and low alike treated with more genuine consideration. This trait in Sir James Fergusson's character was never seen to better advantage than in the tact and sympathy with native aspirations which he showed on the occasion of the great Ripon demonstrations. He did not stand aloof as an unconcerned spectator, or a jealous critic, but took in

the bearings of the situation at a single glance, and volunteered to lead, on behalf of the official hierarchy, the nation's ovation to its most beloved Chief. The same active sympathy kept this Presidency free from the bitter strife of races, so rampant in other parts of India, at once the cause and the consequence of the memorable Ilbert Bill controversy. The entire Presidency presented under his rule one united front, and even when the communities differed, they never carried their differences to the point of creating dissensions, and widening further the split which separates the governing classes from the people of this country. The same large-minded statesmanship was allowed to guide the dispensation of official patronage under Sir James Fergusson's rule. A permanent native Judge of the High Court, a native Principal of the Presidency High School, a native Inspector for schools, a native doctor in charge of the Poona Sassoon Hospital, and the midwifery wards in the Grant College, a native Nobleman entrusted with the sole charge of the Regency of a leading native state, the shining lights of the Bombay Native Bar freely welcomed to the distinction of additional members of Council, all these appointments mark so many important departures from long-established traditions, and represent great concessions to the advancing spirit of the times. Sir James Fergusson no doubt committed some mistakes in small matters, but these mostly ruffled his relations with the British community. He, no doubt, erred in refusing to become Honorary Colonel of the Volunteers, but this refusal need not be set down to ignoble motives, for we can well understand, and, as natives, even sympathize with, the considerations which made the head of a mixed community hesitate in identifying himself with a militant and sectional movement, though it represented the ascendancy of his own kith and kin. Sir James also erred in breaking his connection with the Yacht Club, but even in this matter, the sense of delicacy and of religious toleration,

which urged him to take this step, have a claim upon our admiration. Sir James Fergusson was similarly led away from the path of wise abstinence when he enforced the Madras time in this Presidency, but even in this matter, he erred from higher considerations and had the wisdom of retracing his steps when he ascertained for himself that his measure was not liked and proved practically inconvenient. In the small misunderstanding he had with the Poona Sarvajani Sabha, Sir James egregiously erred, but the mischief was due more to bad advice than to any inherent fault of temper. Ample amends were made by him in the latter years of his administration for this exhibition of bad temper, and we have good reasons to think that the relations of his Government with the Sabha were generally inspired by mutual respect and cordial understanding. On the whole, we think Sir James Fergusson has done good work during his five years' stay among us, and we part with him with regret. Though he cannot be placed side by side with the best Anglo-Indian Statesmen of the last, or even of the present, generation, there can be no doubt that he will be long remembered as a thoroughly conscientious, high-minded, pains-taking, and sympathetic ruler, under whom the Presidency has made great progress in material prosperity, and in moral, and educational, and political advance. Statesmanship of a higher order he never claimed to possess, but for the humbler, though equally useful, work which falls to the lot of provincial rulers he was, taking him all in all, a more than average specimen of the ruling classes, and in his private capacity, and wherever he was left free to act for himself he was eminently successful in shaping the course of our onward progress in all directions of permanent advance.