

SELECTIONS  
FROM  
THE RECORDS  
OF  
THE BENGAL GOVERNMENT.

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Published by Authority.

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N<sup>o</sup>. XVI.

GENERAL REPORT  
OF  
A TOUR OF INSPECTION.

By W. B. JACKSON, Esq., C. S.,  
JUDGE OF THE SUDDER COURT.

ALSO  
REPORT  
ON THE  
DISTRICT OF SINGBHOO M.

By H. RICKETTS, Esq., C. S.,  
MEMBER OF THE BOARD OF REVENUE.

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CALCUTTA:  
F. CARBERY, BENGAL MILITARY ORPHAN PRESS.  
1854.

## C O N T E N T S.

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# GENERAL REPORT

BY

MR. WELBY JACKSON,

ON HIS TOUR OF INSPECTION.

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1. My Reports on each of the districts to which my official tour has extended have embraced all matters of a local nature, either as regards official persons or official operations and interests; I have now to submit my views and opinions on the working of the general system of administration, and shall still adhere to the headings under which I have classed my remarks on local matters, viz.:

1. Revenue.
2. Judicial, Civil and Criminal.
3. Police.
4. Jails' internal management.
5. Public Works and Buildings.
6. Post Office.
7. Education.

2. This is the natural course in which the several departments claim the attention of a Government: in the first place a revenue must be secured, without this nothing can be done; a provision is then made for the adjudication of civil rights, and the punishment of criminals: Police is subordinate to Criminal Justice, and ought to go a step farther and act as a preventive of crime; jails follow in the same category with Police, Public Buildings are then required for the Public Administration of Justice with dignity and despatch and the convenience of suitors, and lastly, the opening of the avenues of social improvement, roads and Schools, the means of physical and intellectual communication; this last gives life to the whole machine; the effects of it are felt through every department of the State, and enable the governed to co-operate with the governors in the great work of civilization.

3. REVENUE—COLLECTION AND PRESERVATION OF THE ASSETS OF THE PUBLIC REVENUE.—The duties of the Fiscal Department are not merely the collection of the Revenue but the preservation of the Assets of the State income; it is not sufficient to have a Revenue; that Revenue must be secured and the sources of it preserved from deterioration by fraud or neglect; the Zemindars were originally mere collectors of the Land Revenue, for which they received a percentage: by fixing the amount of the Land Revenue in Bengal they became farmers of the Revenue, with a hereditary and transferable tenure; but the laws have always retained the principle that the Government is the Lord of the soil; that the assets of each Estate on which a separate Jumma was assessed are perpetually hypothecated as security for payment of the Government Revenue, and that the Zemindar has no power to alienate any portion of those assets, and consequently that a purchaser at a Revenue Sale obtains the whole amount of those assets, and any alienation, temporary or perpetual, by the former Zemindar, the effect of which may be to lessen the value of the Estate, is voidable at pleasure by the auction purchaser.

FRAUDULENT ABSTRACTION OF ASSETS.—4. The principal duty of the Fiscal Department is to preserve these assets; to this end the survey is the most important precaution, in fact it is indispensable; in the actual state of the records of the perpetual settlements in our Collectorates, the Zemindar can, with very little danger of detection, alienate fraudulently portions of one Estate and annex them to the adjoining Estate; the assets of the first Estate thus being deteriorated, it is perhaps incapable of paying the Revenue assessed on it; it is sold for arrears, and, being purchased by the Government in default of other bids, is re-settled at a lower Jumma to the permanent injury of the Revenue of the State; the survey will prevent subsequent alienation of this description.

5. SURVEYS AS RECORDS OF ASSETS.—The records of these Revenue Surveys are the most important State papers, on which the integrity of the Revenue depends, and too much care and expense cannot be laid out on their compilation and preservation.

6. REGISTRY OF ZEMINDARS' NAMES ESSENTIAL TO THEIR PRESERVATION.—It is further the Collector's duty to register the mutations of names in his record of the parties owning the Zemindaree; it is true that as the sales for arrears of Revenue take place periodically, and without reference to the name of the owner, the thing sold being specially described simply by the name of the Estate, and the amount of Revenue

assessed on it, the Government is not directly interested in the registry of the names of the Zemindars: but when the immense quantity of litigation, and the great occasional loss which has arisen from the entry of false names in the register of Zemindaries is considered, the Government will be found to have a more remote and contingent interest in the correct keeping up of this important register; in fact it appears to me that the Government under the provisions of the law is entitled to claim a knowledge of the party from whom the Revenue is due, as well as the assets from which it is to be collected; the registry of all transfers of Zemindaries ought therefore to be made essential to the validity of the transfer; nothing would more tend to raise the value of landed property than such a rule; in fact every\* rule or law which tends to prevent concealment and to make public, the nature and extent of landed property and the names of the rightful owners, is a preventive against fraud, and a protection of honest men against the rogues who are interested in concealment, for none but rogues can be so interested.

7. The two principal matters to be attended to are the registry of Assets and the registry of Transfers; when this is done the Government Revenue is secure.

8. EFFECT OF SALES ON UNDER-TENURES.—Lately it has been much discussed whether the under-tenures created by a Zemindar ought not to hold good, notwithstanding a sale for arrears of Revenue; it is urged that parties rent lands from the Zemindars for the purpose of introducing an improved system of agriculture, of establishing manufactures, of raising buildings for permanent purposes, and that such parties are prevented from thus laying out their capital from the insecurity of their title to hold the land should the Zemindar fail to pay his Revenue; this has been

\* See Act No. 1 of 1845. considered by the sale law of 1845,\* and all *bonâ fide* leases at a fair rent, duly registered are exempted from the general rule declaring such tenure void or voidable.

9. Now the very nature of the Zemindaree tenure is limited; it is not a tenure in fee simple, the Zemindar cannot alienate any portion of his assets; and there is little or no difference between actually selling right out, a portion of land belonging to an Estate, and leasing such land at an inadequate rent, in consideration of a heavy *bonus* paid in the lump for such a lease; if such sale or such lease hold good, on the occasion of Revenue sales, there would be no security of the Government Revenue; more especially when the leases so given are of the nature of Putnees, that

is, perpetual leases, liable only to voidance by sale for balance of rent precisely in the same manner as the Zemindarees are liable to the Government.

10. **BONA FIDE LEASES SHOULD BE PROTECTED.**—Still it is an important object to protect the under-tenants who hold *bonâ fide* leases; for there is no doubt it is generally these Putneedars, farmers, and such tenants who have introduced improvements in the state of agriculture and manufacture; the Zemindar seldom, if ever, ventures the smallest sum in such experiments: under the present law such tenures, if registered, are not void on Revenue sales, but voidable by action at law; the point at issue being, whether the rent is a *bonâ fide* and sufficient rent or not: that is whether the Assets of the Estate are prejudiced by it: this leaves a doubt on the title of the under-tenant, the security of which would depend on the result of a law suit; but it is hardly possible to get rid of the difficulty; it might be permitted to obtain first a declaration from the fiscal authorities that the lease was unobjectionable in its terms, and in such cases to require the Courts to uphold the lease and not suffer to be questioned; but in trying the point of the *bonâ fide* nature of the lease there would be no antagonist party before the Collector, and this declaration of the sufficiency of the rents though good against the Government, would be of doubtful value against others, and could hardly be allowed to preclude a regular trial of the point in a Court of Law.

11. **UNREGISTERED LEASES UNPROTECTED.**—The above refers of course to registered leases, but the unregistered are entitled to no such

\* See Act No. I of 1845.

protection; at present unregistered leases, Putnee, or other,\* given by the former Zemindar, are void because so given, and without reference to the nature of their terms and conditions; and it is optional with the Auction purchaser to oust the holder altogether; I cannot see the hardship or injustice of this: usually it is to be assumed that if the lease is good and fair the new comer will not wish to oust the tenant, and when the law affords him, the tenant, protection by registry and he neglects to resort to it, he is hardly entitled to any indulgence.

12. **COLLECTOR SHOULD BE REGISTRAR.**—However the register of transfers of Zemindarees as well as of leases to under-tenants ought, in my opinion, to be in the hands of the Collector, and no such transfers or leases should be valid till registered.

13. **PARTITIONS OF ESTATES.**—Butwarrahs are mere assessments of the Government Revenue: the law regarding them is very good, but it

should be strictly carried out ; scarcely any, that I have met with, have allotted contiguous lands to each share : the parties will seldom agree to this but wish to have each village divided into shares ; in all Butwarrahs a careful and detailed survey should take place as for a new settlement.

14. I see no objection to allowing sharers to save their own shares from sale for default of other sharers, their own Revenue being paid up : but it is essential to such a practise that the share should be registered : if not, it should not be permitted : these partitions are distinctly the province of the Collector, and a most important part of his duty.

15. SUITS BETWEEN LANDLORD AND TENANT.—The decision of Summary suits between Landlord and Tenant is not properly the province of the Collector, but of the Civil Courts ; the Collector has the power of a Civil Court given to him for this purpose ; but the Sudder Station is so far from the parties that it is most desirable to alter the practice to bring justice nearer the people ; and to leave this duty to the Moonsiffs ; it was thought that the Collectors as Revenue Officers would decide these cases better ; but they are generally made over to some Assistant or Deputy, who is scarcely equal to a good Moonsiff as a Judicial Officer ; and has none of the advantage of local knowledge ; it was supposed that the Collector would know better than the regular Courts who was entitled to receive rent, and the nature of the tenures in different parts of his district, but this I think is not the case ; the Moonsiffs have more knowledge on these subjects ; certainly more than the Assistants and Deputies : there is no reason why the Moonsiffs should not try these cases in the same summary manner as the fiscal officers, the only doubt is whether they will have time ; to this I shall hereafter allude.

16. PRESENT STATE OF THE LAW.—But the state of the law for decision of these suits requires alteration : every one concurs in condemning it, and declares that Regulations VII., 1799 and V., 1812, are mere instruments of oppression in the hands of the Landlords : by the help of these instruments, a Zemindar by simply stating an untruth can either consign a man to prison, or sell off his property by distress, as a preliminary, without any previous enquiry into the validity of his claim by a Court or Public Officer, this power is not only in the hands of the Zemindars but also in hands of their Agents, Gomashahs, petty farmers, in fact of any one who pleases to assert falsely whether in part or entirely that a cultivator is in balance of rent due to him : how totally regardless the Bengalees are of speaking the truth, and how perfectly ready they

are to make use of any fraudulent trick to serve their purposes is too notorious to need mention; fraud and falsehood from the highest to the lowest are the rule in Bengal, and when successful are not in the least disreputable; it may easily be inferred what a terrible engine of oppression these laws form in such hands.

17. THE TENANTS HAVE NO EFFECTUAL REMEDY.—It may be said the Ryots have a remedy in giving security and bringing their suit to remove the attachment of their goods, or prevent the incarceration of their persons; but what a difficult, almost impossible, matter it is for a poor man to find security; and further, it must be security to the satisfaction of the Feroosh Ameen or the Nazir, both of whom are probably bribed by the more powerful party to reject it if tendered; and again the party arrested must first go under arrest to the Sudder Station sometimes from 50 to 100 miles off, before his tender of security can be considered; leaving his wife and children starving in his absence; and after reaching the Sudder Station he is of course distant from the assistance of all those who might be disposed to be his security; the fact is, security cannot be given by a poor man: and the remedy assigned him by the law, the preliminary of which is security for the amount claimed, is useless; the result is that his property and his person are completely in the hands of his Landlord.

18. Again, though the Ryot might in very gross cases be able to give security, he seldom has the opportunity: if the object is oppression, and the claim a false one, the Zemindar who issues the notice of claim, either himself or through the Collector's Nazir, takes good care that it shall not be served; but a return of service is made without: true he is liable to punishment for this on suit; but it is impossible to prove it against him, so that in effect he acts with perfect impunity; these legal remedies are available only in the hands of the rich; the poor are without the means of profiting by them.

19. THE LANDLORD HAS IN EFFECT ARBITRARY POWER.—Such must be the case where the Zemindar acts spontaneously on his own legal responsibility, and the Ryot is left to enforce that responsibility by process of law; there is but one remedy that the Zemindar shall be no longer allowed to be judge in his own case, subject merely to unreal and ineffective restrictions: no Ryot or other persons should be liable to be imprisoned, or to have his goods sold by distraint, without some previous inquiry by an impartial person into the validity of the

claim against him : the enquiry too must not be formal but fair and real ; it is too much the practice in Bengal even for the Courts of Justice to say, " the witnesses say so, I have no reason to disbelieve them ;" when it is well known that the witnesses can be purchased for a few annas a piece ; and that unless there is something more than their assertion to establish a fact, no one is convinced of the truth of it. I would urge that the previous inquiry should be careful and effective, as well as speedy, that a poor labouring man whose daily bread depends upon his daily labor, may not be starved into compliance by legal delays.

20. It is scarcely to be conceived how enormous is the extent of tyranny and oppression carried on under the present law ; so much so, that zemindars and men of respectability have assured me, that almost all the claims enforced by those means are false ; the Ryots so well know the power of the Zemindars that if they are really in balance they never think of contesting the point.

21. **THE POWER VESTED IN THE GOVERNMENT CANNOT BE SAFELY VESTED IN THE ZEMINDARS.**—It has been urged on the other hand, that the Government proceeds for balance at once against the Zemindars without having recourse to Courts of law : the Government Officers determine whether there is a balance and proceed at once to enforce their remedies ; consequently the Zemindars against whom the Government enforces its claims in this manner, should have the same means and the same power of enforcing their claims against their under-tenants.

22. This argument, though specious, is weak in its premises, and false in its inference ; in the first place the Government does not imprison for balance of Revenue : the course is to proceed against the property, not the person ; and again if the correctness of a balance claimed by the Government is disputed, a fair enquiry into the account can always be had ; farther, the Government acts in good faith, and the Government Officers entrusted with the enforcement of Government claims, are uninterested parties, and would be liable to punishment as much or more for an error in favor of Government as against it ; farther again, the Zemindar is not a poor Ryot who lives from hand to mouth, and is incapable of defence, there is thus no parallelism in the two cases, scarcely an analogy ; a power which may be fairly and justly vested in the Government for realizing the Revenue of the State, which is fixed and known, and not liable to fluctuation, to be applied through the agency of men of

character and probity, cannot with the same property be granted indiscriminately to private individuals to be used in the realization of rents which continually change, and regarding which neither the amount nor the party liable is known for certain, nor is there any security for the correctness of the amount, nor the good faith or honesty of the claimant.

23. The enforcement of Government claims and that of private claims are not within the same category in any respect ; if the rules under which the Government acts are too stringent, they should be altered ; but I see no reason to think them so ; as regards the enforcement of private claims for rent, the power vested by the law in the Landlords is liable to abuse, and by the confession of all parties is actually abused to an enormous extent ; and the evil ought to be remedied.

24. CHANGES ADVOCATED.—The changes I would advocate are simply these, that no process for imprisonment shall issue on a claim for rent until the claimant has shown his claim to be good ; that the existing practice of first committing to prison and then trying the case be abolished ; that when a ryot is brought up on a rent claim under Regulation VII. of 1799, under arrest, the claim be immediately tried by the Moonsiff, and unless proved by the claimant then and there, the ryot be set at liberty ; and that no second process of arrest be allowed for the same claim, except upon judgment obtained in the regular Courts ; if on the party being brought up under arrest it appear that the witnesses are not present, the plaintiff should be allowed 24 hours to prove his claim, during which the party to remain under arrest ; if then not proved the party to be discharged and the case struck off ; if a party arrested tender sufficient security, that he will attend the Court, the Nazir to be bound to receive it and discharge him from arrest.

25. If the summary process be under Regulation V. of 1812, the distraint to take place as usual, and notice to be served on the defendant through the Moonsiff's Court, calling on him to appear on a fixed day and answer, if not, the plaintiff will be allowed to sell his property : the plaintiff on applying for issue of this notice should give a note of his claim, and a list of the property he has attached ; whether the defendant appear or not, the Moonsiff is to satisfy himself of the validity of the claim before directing the sale to take place.

26. I do not see how the honest claimant could suffer by this ; his object is to get his money, and the attachment would prevent the removal of the property, and the arrest the evasion of the defendant ; the effect of the

change would be that neither would property be sold, nor a person be committed to jail, until the claim was shown to be good and valid: doubtful claims which do not admit of immediate proof would thus be kept out: and such should in fact be tried by regular suit, not by summary process, and if the regular suits were tried in the manner hereafter proposed in this Report, the whole system of summary process and distraint ought to be set aside; for the proceedings of the regular Courts would be as easy as under the summary suit rules: the process of the regular Courts ought to be sufficiently expeditious for any practicable purpose.

27. COLLECTOR TO BE REGISTRAR WITH SUBORDINATE MOFUSSIL REGISTRARS.—The Collector being relieved of the trial of summary suits, and having little work left in his hands, might bestow his spare time on other matters. I would make him Registrar of the district, and would remodel the whole system of registry. The present system is defective; the fee or rupees 2 on registry is too high for transfers or transactions of small value: and the distance of the Sudder Station from the boundaries of the zillah is too great to allow of parties coming so far except in matters of importance; unless the means of registry are rendered more available, it is impossible to make registry imperative; and even the priority given to registered documents, when a Registry Office is from 50 to 100 miles off, is hardly defeasible; and yet there is no country where registry is so much required owing to the cheap rate at which perjured witnesses are always procurable in the market.

28. AMEENS.—I would have an officer subordinate to the Collector, and acting under his orders appointed to every Moonsiffce; and would entrust to him all sales in execution of decrees, summary or other; he should also be made a stamp vender and Registrar of Deeds: the commission he would draw from sales and stamps, would be considerable; I would allow no other person to be allowed by the Civil Courts in selling in execution of decrees.

29. PRIORITY TO BE ALLOWED TO REGISTERED DOCUMENTS.—I would not make registry imperative or necessary to render a document legal, even if these public notaries were established at each thannah: it is a serious matter to invalidate transactions which are in themselves real and good, for want of legal formalities; but I would go so far as to retain the present law which gives registered documents a priority over unregistered documents; this would be sufficient inducement to register,

were the means at hand; and it appears to me unjust to carry the effect of non-registry farther.

30. ALTERATION OF FEES SUGGESTED.—The fees I would levy on the registry should be rateably, according to the amount value of the transaction as appears from the contents of the document: thus, not above

Rupees	100	fee	Annas	4
„	250	„	„	8
„	500	„	Rupee 1	„ 0
„	1,000	„	„ 2	„ 0
Above „	1,000	„	„ 4	„ 0

31. In other respects I would leave the system of registry as it is, the Collector would be the Sudder Registrar, and might authorize an Assistant or Deputy to register for him; the books for the registry, whether for Sudder or Mofussil, to be well bound books with the pages numbered in printing, not in writing, and signed by the Collector with certificate of the number of pages before being used; the date of delivery to be added, and that of return when complete to the Sudder Registrar, and attested by the Collector; should it be found hereafter that other books are required than those now in use, they may be added, but at present they are, I think, sufficient.

32. AGENCY OF THE CIVIL COURT TO BE WITHDRAWN.—The agency of the Civil Court as connected with the registry, should be abolished: it is a mere pretence even now; and the superintendence and working of the zillah registry should be exclusively in the hands of the fiscal officers.

33. AMEENS.—The officer to be employed on the duties above mentioned at each Moonsiffee, should be called an *Ameen*; that being the equivalent term for Commissioner in the native languages; he should receive a salary of rupees 50, and should hold a certificate of having passed an examination for Moonsiff: these men would form excellent Moonsiffs, and should be considered eligible to that office, without having practiced as pleaders; the time passed as Ameens should be considered equivalent to time passed in practice at the bar as regards qualification.

34. COLLECTOR MIGHT BE MADE MAGISTRATE.—The Collector would still ordinarily have but little to do, and might also hold the appointment of Magistrate, with such Assistants and Deputies to take the detail of work off his hands as might be found necessary according to the state of each zillah.

35. **POST OFFICE TO BE UNDER COLLECTOR.**—The entire control of the Post Office should also be in the hands of the Collector; and the Superintendent of all Government Buildings, Roads and Ferries, and of all Public Works, not expressly placed under Military or other Authorities, should vest in him; he would thus be the representative of the Government generally, and would have charge of the interests of Government in all matters not expressly reserved; some such general agency is required, and could not be better placed than in the hand of the chief Fiscal Officer of each zillah.

36. **COMMISSIONER OF REVENUE TO BE SUPERINTENDENT OF POLICE.**—The agency of the Collector in all matters of a fiscal nature, should remain subject to the control of the Commissioner of the Division, and to his direction as at present; the same system should be carried into the Department of Police where the Commissioner should be constituted Superintendent of Police for his Division; in the Department of Public Justice, the Collector as Magistrate, would be subject to the Sessions Judge as a Court of Criminal Appeal.

37. **GENERAL DUTIES OF AMEENS.**—The standing Mofussil Ameens in each Moonsiffiee under the Collector's orders would be available for the purpose of sending in reports or information on any subject coming within the Fiscal Department, and should be made to understand that they are subordinate to him exclusively, and required to obey his orders and requisitions in all matters of an official nature; in fact they would be the Collectors' Mofussil Agents for the performance of all work entrusted to them; they should have a fixed public Office as near as may be practicable to that of the Moonsiff; and the Collectors should visit these offices from time to time every year, and see that they are kept in good order, and the books and records kept in a complete state. Should it be found necessary, they might be employed as Tehsildars of any petty Estates in the neighbourhood belonging to the Government.

38. **WHEN NECESSARY TWO AMEENS MIGHT BE APPOINTED TO ONE MOONSIFFIEE.**—When the work of the various avocations which I have proposed to combine in the Mofussil Ameen, is too much for one man, I would have two, and would allow the Collector to divide the work between them in such manner as might appear to him advisable, with the approval of the Commissioner of Revenue.

39. **REVENUE KISTS.**—I have not found in the course of my inquiries that there is any thing to find fault with the arrangement of

the Revenue Kists of the Zemindars; at least no other arrangement has been suggested to me which would be more convenient to the Zemindars, and at the same time unobjectionable on the part of the Government.

40. OBJECT OF THE PERMANENT SETTLEMENT NOT ATTAINED.—

The object of the permanent settlement of Bengal was no doubt to create a body of wealthy landholders, by limiting the Government land revenue to a percentage on the actual produce of the country, and leaving to the Zemindars the income derivable from all improvements, whether by extending cultivation or introducing a better system of agriculture: the cultivation has been greatly extended, wherever the state of the country admitted of its extension, and where this has taken place, the assessment is very light. In Burdwan and in Dinajepore, where cultivation was in a more advanced state at the time of the permanent settlement, the assessment is necessarily higher in proportion to the present assets, less increase in the assets having taken place; but the extension of cultivation which has brought new tracts under tillage has not been effected by means of any outlay on the part of the Zemindars; they have allowed the peasantry to bring the lands under the plough, and have participated with the peasantry in the profit derived from them.

41. No doubt by this means the Zemindaree holdings have been greatly extended in some parts; but in the way of improving the system of agriculture little or nothing has been done by the Zemindars: the assets of the Zemindaree estates have been increased, and a wealthy class of landholders has been created; it is true that the old Zemindars who held the Zemindarees at the time of the permanent settlement have mostly been reduced to poverty, and supplanted by their own managers and servants, who are now the Zemindars, and by men of capital who have enriched themselves by trade; and this impoverishment of the old families has happened notwithstanding the increase in the Zemindaree assets arising from the permanent settlement; but those who have taken their place are still a wealthy class, and in fact occupy the station which it was the object of the permanent settlement to assign to them.

42. But though this benefit has been conferred by the Government on the Zemindars, the object with which it was so conferred, has not been attained; this wealthy class has not made use of its wealth in the improvement of the country, in works of utility, Roads, Schools, Colleges, Hospitals, Bridges, Railways, Docks, the improvement of the course of Rivers, &c., &c.; some few exceptions may be mentioned in and about

Calcutta, where sums of money have been given for these purposes, but the general result has been otherwise; and all works of improvement, every thing which has been done or is likely to be done for the benefit of the country at large, is done by the Government alone.

43. **EFFECT OF THE SETTLEMENT IN THE NORTH-WEST.**—In the Western Provinces where the principle of the Mahomedan revenue system is kept up, and there are but two bodies in the State, the cultivators and the Government, as the Government draws into its own hands the main part of the profits, leaving the ryots only sufficient to keep them comfortable and independent in their station of ryots, it was not to be expected that public works should be achieved except by the Government; the cultivators in the Western Provinces are generally better off, their rights are better known and secured to them, and they are subject to a better landlord, than those of Bengal; so that the mass of the people in those parts have the advantage; but in retaining the position of sole landlord, and drawing the rents directly from the cultivators, without the intervention of intermediate classes, the Government took on itself the position of that which had attached to it under the native Government, those of bearing the expense of all public works necessary for the comfort of the people and the improvement of the country.

44. **CONTRASTED WITH BENGAL.**—In Bengal more might naturally be expected of the Zemindars, and was expected; but the expectation has not been realized; in a great part of Bengal the Zemindars have let their lands in Putnee, that is, on perpetual leases in small or large parcels, receiving considerable immediate payment in return for the alienation, and a fixed rent for the future; they have therefore no interest in the subsequent improvement of the lands; the Putneedars occupy as regards the Zemindars the same position as the Zemindars occupy in regard to the State; with rents thus fixed, the Zemindars have lost all motive to exertion as well as inclination.

45. **THE IMPROVEMENTS IN AGRICULTURE HAVE BEEN EFFECTED BY UNDER-TENANTS, NOT BY ZEMINDARS.**—How then has the cultivation been improved and extended? it has been improved and extended by the under-tenants, the putneedars, farmers, who mostly with borrowed capital have carried the cultivation of Indigo, Silk, Sugar, and other valuable productions to an extent, which they never reached at any anterior period; the example has been set, and the way opened, by

INDIGO PLANTERS, THEIR  
SUCCESS.

the Indigo planters, mostly Englishmen, who  
by their energy and assiduity, by forcing

their way through difficulties and opposition, have formed themselves into a class of great wealth and influence; necessarily coming into direct collision with the comparatively inert Zemindars, and in many instances ousting and supplanting them in their Zemindarees; and even where this has not taken place, rendering themselves formidable rivals; it is singular enough that men without capital, strangers and aliens both in race and habits, should thus have been able by their indomitable energy and perseverance to compete successfully with a wealthy class of men created and established by the State itself, and firmly rooted in the country, with all the support that wealth, influence and the favor of their own countrymen and of the State could give them; the example of the planters has been followed by the more enterprising among the natives; and it is to these men of enterprize who have commenced and will continue the move forwards, that the country is indebted for improvement; and it is to them, the men of enterprize and action, that the State must look for further progress in the same direction.

46. THE ZEMINDARS ARE OPPOSED TO THE GOVERNMENT OFFICERS.—The effect of the perpetual settlement has been indirectly to introduce these men into Bengal, and this has been beneficial; but the direct effect which the framers of it had in contemplation; the improvement of the country by means of the Zemindars who were thereby created as a class, has not been obtained; and I see no reason to expect that public works of utility will be carried out in Bengal by the Zemindars unless they are especially taxed for that purpose; even the Police, in the effective state of which every one is interested, receives no support from them, though such support is positively required of them by the law; on the contrary, one of the chief difficulties of the Police is the control of these men who are bound to support it; they keep armed bodies of ruffians, who commit most of the crimes in the country: they have neglected the village watch, which they were bound to keep up, and have absorbed their allowances of land or money; they have objected to the survey of their estates, whereas it would be imagined that every honest landlord would be gratified by having the assets of his estate, clearly fixed and recorded without any additional expense thrown on him. I admit there are exceptions, but they are rare, and not sufficient to affect the correctness of the general position.

47. THE ZEMINDARS SHOULD BE REQUIRED TO CO-OPERATE WITH GOVERNMENT OFFICERS.—It should be the aim and principle of the Bengal Government to force these men and all others holding a

similar position in the State to give their hearty and effective support to the State, that the officers of Government when employed on their respective functions may always find help in the performance of their duty ; but to effect this the discipline of the Government Functionaries must be more strict and regular than it has hitherto been, this will tend most materially to secure co-operation ; under any circumstances it must be a work of time and of gradual progress, but the principle should never be lost sight of, either by the Executive or the Legislative Authorities.

48. JUDICIAL CIVIL.—IMPROVEMENT IN THE ADMINISTRATION DURING THE LAST 10 YEARS.—The administration of justice during the last 10 years has been greatly improved in the Zillah and Mofussil Courts : this is mainly owing to the publication of the decisions of the judges, which places them within the sphere of general observation, and enables the parties, their agents and pleaders, to examine them and ascertain their merits more readily and with greater precision ; in appeal too, the defects either of matter or manner are more easily detected in a printed than in a written decision.

49. EFFECT OF PUBLICITY.—This publicity acts directly on the judges and indirectly through them on the subordinate judicial officers ; for the nature of the decision of the lower court is stated in all decisions of appeal.

50. There are certainly a few of our Judges who are not fit for the office, chiefly from a bad system of proceeding ; and from ignorance of the principles upon which judicial proceedings ought to be carried on ; this is owing to the want of a judicial education, and more especially of practice at the Bar : the defect is observable in many of the Principal Sudder Ameens, Sudder Ameens and Moonsiffs, still more than in the Judges, and although an improvement has taken place in this respect, there is still much to be done to render the proceedings of our Courts, regular, efficient and uniform.

51. EXAMINATIONS.—With the subordinate judicial officers a remedy is available, and has in fact been applied : they are required to pass an examination in the principles of law and practice before they are considered eligible to be Moonsiffs ; and further, candidates who after passing the examination, practice at the Bar of the Zillah or Sudder Courts, are held to have a claim to vacancies superior to that of candidates who have not engaged in practice as Pleaders ; but this is not sufficient : practice at the Bar should be considered indispensable, and no passed candidate

should be held eligible until he has practised three years at the Bar :<sup>\*</sup> this would not only tend materially to increase his fitness for the Bench, but it would make publicly known who is not fit for such employment ; for the knowledge of the law alone does not fit a man to be a Judge ; he must in addition have the ability to apply that knowledge and to bring it to bear readily and justly upon real cases ; without some practice at the Bar, it is almost impossible for a man to be a good Judge ; the practice of the Bench, no doubt, has the same effect ; but a man ought to be fit for the Bench when he is placed on it, and should not be left to qualify himself after his appointment.

52. TEST OF FITNESS FOR JUDICIAL EMPLOYMENT.—It is difficult to suggest a similar test of fitness for the European Judges : an examination in law and precedents may be required from them, similar to that required from Moonsiffs : but the Bar practice is not so easily obtained ; the whole time of the members of the Civil Service is considered to belong to the Government, there is therefore none left for them to apply to forensic practice in cases of private individuals : the assistants are now examined in Revenue and Magisterial duties ; the civil functions would appear to require a similar preparation even more peremptorily.

53. The next best method of training Officers for the Bench, is to employ them as assessors or subordinate Judges on the trial of cases before practised Judges, and I think this method may be attained ; the manner of introducing this system of training is bound up with certain changes which I am desirous to see made in the judicial system, and I will now proceed to detail them.

54. EXPENSE AND DELAY.—The expense and delay of the judicial system as at present administered is notorious : and this defect has been most forcibly brought to my notice by the representations of all classes, rich and poor, during my official tour : the harassing system of continual appeal, remands and re-trials, and the whole string of appeals over again, seems to open a vista of litigation, the termination of which is lost in the perspective ; our Courts are objects of fear, because their proceedings are unfathomable : no one can tell when he will get out of them, when he once enters the arena : a party will readily make up his mind to refer his cause to the arbitrament of a Court of Justice, provided a day be fixed

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<sup>\*</sup> I have subsequently made an exception in favor of the new Revenue Ameens who have held that office for the same time.

when the case shall be heard and determined; but however good his cause, he will hesitate to entangle himself in a labyrinth of technical subtleties, by the help of which he may be tossed from Court to Court for an indefinite period of time, the result depending often on the observance of legal forms, utterly independent of the justice of his claim, and with but one certainty before him, that of great expense and trouble; such a system is sufficient to deter a rich man with a good cause from resorting to the Courts; a poor man cannot afford it; those who gain by it are the pleaders, who profit under any circumstances, in proportion to the length and quantity of litigation, and those who wish to enforce dishonest claims.

**55. PROCEDURE SHOULD BE SIMPLIFIED.**—What is required for India is a simple and decisive system of administration of justice: and that the Courts be empowered to use the readiest and most effectual method of arriving at the truth and deciding accordingly; the present use of long pleadings drawn up by hired pleaders; the plaint, answer, reply, and rejoinder, in which much is stated that is useless, and much omitted that is requisite, is directly opposed to the principle I have laid down; the fixing of one day for one pleading, another for another; the continual issue of notices, and the hearing of witnesses, one or two at a time, all this requiring the continued and careful attention of the party or his representative during a period of six months or more, is not the way to arrive at the truth; the simple way of settling a dispute is to hear what the parties say, and on the points upon which they are at issue to hear witnesses or read documents, in fact to refer to third parties.

**56. DEFECT OF PRESENT SYSTEM.**—I admit that much may be done under the present system to expedite judicial proceedings; but it is not done, and it is very difficult to enforce a change of practice on the subordinate Judges: when I have remonstrated with the Moonsiffs on the delay in trial of their petty cases, and have pointed out that after the time prescribed by the law for filing the pleadings and fixing the issues, and eight days' notice of trial, in all perhaps six weeks, they should then decide the case on the evidence brought before them; their answer has been uniformly this, if we decide a case in this manner, and a party losing, appeals on the ground that one of his witnesses was not heard, the decision is invariably reversed and the case remanded: and further, the Moonsiff who has his decision thus remanded loses credit, and his chance of promotion to a higher grade, because his decisions have been reversed;

delay in the Moonsiffs' Courts is thus enjoined and enforced by the appeal Courts, and the Moonsiffs are bound to the principle thus laid down for their guidance : this is not so often done by the Judges as by the Principal Sudder Ameens in the trial of appeals ; by far the greater number of appeals from the Moonsiffs are decided by the Principal Sudder Ameens, and the guidance of the main body of judicial functionaries is thus in the hands of the Principal Sudder Ameens ; the number of cases which go to the Judges are a mere trifle in comparison, and the effect of the Sudder Court is hardly felt at all through so long a course of litigation.

57. Directions on this subject might however be sent to the Principal Sudder Ameens ; to enforce them would require much careful superintendence on the part of the Judges, for it could only be done by reading over the Principal Sudder Ameens' decisions which did not come before them judicially : and such a task to a Judge who has his own work to do is no slight one.

58. CHANGE ADVOCATED.—The practice I would advocate would get rid of the delay of the pleadings altogether ; the plaint would be filed stating shortly the amount claimed and on what account, on the usual stamp ; notice of plaint should immediately issue to the defendant ; notice should also be given to the plaintiff ; the effect of both notices being that the parties should appear in person on a fixed day with their documents and witnesses ; the day fixed being such as to allow the parties to take out subpoenas for the attendance of witnesses, and to give time to the witnesses to attend ; the parties and witnesses being heard on the day fixed, and the documents examined, the case should be determined.

59. DETAIL OF NEW SYSTEM OF PROCEDURE.—The parties should be examined in the same manner as witnesses, and should be liable for perjury for any false statement made to the Court, either in writing or orally, provided the falsity was known to the person making the statement and the fact related to a point material to the issue.

60. Parties might be allowed to employ agents or pleaders, but the parties or their agents or pleaders should always be liable to examination on facts within their knowledge, and the attendance of parties might always be insisted on by the Court when necessary ; whoever applies to a Court of Justice for redress, is bound to give the Court the help of all facts within his knowledge.

61. The presiding Officer should record with his own hand the effect of the statements of the witnesses and parties and the documents filed ; with

his decision and the grounds of it; the record would consist simply of the plaint and this decision, the latter being a summary of the proceedings.

62. **EFFECT OF THE CHANGE.**—I am convinced that in by far the majority of cases the decision could be given on the day fixed without difficulty; more than one-half of the cases instituted under the present system are undefended; these would be disposed of at once; of the remainder the defended cases, at least three-fourths are on bonds, or for rent on leases or jummah-wasil-bakees; these could always be disposed at once; a discretion should be vested in the presiding officer to delay the decision of a case to a future day not beyond a fortnight with a view to the production of other evidence not producible before; but the special grounds should be always assigned for such proceeding; and no postponement should take place if the parties have had sufficient opportunity of producing their evidence.

63. **SUBPENA.**—The subpoena to witnesses should be of the nature of notices to attend under a penalty: and when any witness may be stated to have a material document in his possession, he should be required in that notice to bring that document with him to the Court.

64. **SPECIAL CASES OF A COMPLICATED NATURE.**—When the claim is for money on contract or for damages, there would be no difficulty in disposing of the case; but if the claim is for possession of land, or on the ground of inheritance, or relates to a boundary, the inquiry becomes rather more complicated; but still much of the difficulty would be avoided, or cleared away by the examination of the parties; the facts would be much more easily reached than in the present cumbersome mode; and after the facts have been once settled, the law might be applied at leisure; that is the facts being settled on the day fixed for trial, and then and there recorded, the presiding Officer might take time to refer to books, and to consider the bearings of the law on the facts; he could thus prepare himself to give a mature judgment on the day to which the trial was postponed; I do not say that the cases would be decided without difficulty in this mode, but I have no hesitation in saying that the difficulty would be much less than by the present cumbersome process: the witnesses would be examined by the Court in the first place, and the parties might be allowed to put to them farther questions; by this means the length of depositions which is now positively grievous, would be avoided, and the Judge's notes of the answers would be the record.

65. **NO APPEAL OF FACT.**—There should be no appeal on points of fact; the Court which hears the evidence is the best judge of its

effect; but a new trial of facts might be allowed on special grounds; the new trial to be held by the Officer who presided in the first instance with two other officers of the same or nearly the same grade, the majority to decide; the dissentient voice recording his reasons.

66. APPEAL ON POINTS OF LAW.—On points of law there should be an appeal to the Judge from all Zillah authorities and a special appeal to the Sudder Court; the Judge to be competent to refer appeals to the Principal Sudder Ameen.

67. All Zillah Courts and their subordinates should be empowered to try cases in this manner, but where both parties signified a wish for trial in a more deliberate manner with the use of regular pleadings, they might be allowed if the case be such as to render it desirable from the complicated nature of its details; the four pleadings might then be permitted, but the parties and witnesses should still be examined in the manner I have suggested.

68. NEW TRIAL OF FACTS.—The new trials should be of the nature of a review, and a full bench of three officers should be formed for the purpose; the Zillah Judge to nominate three Moonsiffs to sit together annually for the trial of reviews of their own decisions: the Sudder Ameen's decisions should be tried in the same manner.

69. HOW TO BE TRIED.—The Judges' and Principal Sudder Ameen's decisions on facts to be reviewed by a full bench consisting as might be determined by the Sudder Court; the Magistrate, Collector, Principal Sudder Ameen, Judge and Sudder Ameen to be competent to sit on the trials, but not more than three to sit together.

70. IMPORTANCE OF NOTICE.—Under this system the greatest care would be necessary to insure the due service of notice to parties and witnesses; and the non-service would be a good ground for a new trial.

71. ADVANTAGES OF THE SYSTEM RECOMMENDED.—The advantages of this practice over the present one are, that the witnesses would be heard *viva voce* by the presiding Officer of the Court; not in the *serishtah* by the *Amlah*; that cases would usually be decided in a fortnight instead of six months; that the whole evidence will be brought at once before the Court, not as at present, bit by bit, as it pleases the parties to prepare their witnesses and produce them for examination; that the case once commenced would be carried on to a termination within a month at the farthest; even supposing a postponement to take place, the time occupied by each case in the Court would be far less



than at present, and a much larger number of cases could be decided by each Moonsiff: at least this would be the case when they became familiar with the system; this expectation is based on the result of the English County Courts, where a single Judge will decide 7 or 800 cases in a year.

72. **THE SYSTEM MAY BE INTRODUCED GRADUALLY.**—But it would perhaps be advisable to introduce the system by degrees: and in the first place to vest Principal Sudder Ameens at each station with the power of trying cases in this manner; the same power to be vested in the Judge, who should, in commencing the system of procedure, be at liberty to sit with the Principal Sudder Ameen in the trial of cases, and point out the method which should be followed: when once commenced and explained to the people by the practice of the Principal Sudder Ameens, it would be easy to extend it to the Moonsiffs; in fact it is more especially to Moonsiffs' cases, that is, to cases of small value in which the parties are usually poor, that the new system is applicable.

73. **EFFECT ANTICIPATED.**—I think it probable that the Moonsiffs would under this system be greatly relieved, unless the facility of obtaining judicial decisions should induce parties to bring forward claims which are now not heard of; this might be the case to some extent, but many cases of a fraudulent nature which are now brought forward would be kept out; and I think the Moonsiffs would have time to give to the decision of criminal cases: it is, however, to be remembered, that they would have the summary suits, which are now tried by the fiscal Officers, added to their files.

74. **SUMMARY SUITS.**—As regards these summary suits, it appears to me that the Moonsiff should have the power of inflicting a fine proportionate to the means of the offending party, whenever it appears that he has caused the arrest of a party, or attachment of his goods upon a claim malicious, fraudulent or entirely destitute of foundation; some protection is needed for the tenants, more cheap and speedy and more within their reach than a regular suit in Court for damages; the fine so imposed to be applicable in part or entirely to reimburse to the sufferer the expense, trouble or inconvenience he has sustained.

75. It is true that under the proposed system, the Moonsiffs and native Judges would be more trusted than at present, and that the conduct of suits would be more within their control; but I have no reason to believe that such trust would be abused.

76. **THE NATIVE JUDGES BEAR A GOOD CHARACTER.**—No regular charges of corruption have been made to me against Officers of this class during my tour; and I believe that they are not now open to bribery; there may be some who are subject to influence of rich or powerful suitors in their judgments, this is a defect which can be completely eradicated only by time, and education, and the general improvement of the national character: but the native Judges as a body, are, in my opinion, very respectable and upright; and in point of abilities quite equal to their European superiors; their defect is a want of self-reliance and determina-

**INCREASE OF SALARY.**

tion to sift the facts before them; the salary assigned them is, I think, insufficient, and I would raise the Moonsiff's pay from Rupees 100 to 200 a month; their allowance for establishment ought to be raised to Rupees 80; I would ascertain by experience whether under the proposed system the establishment might not be reduced; as the work to be done in the office by the Ministerial establishment would be much less under that system than at present.

77. **COLLECTORS AND MAGISTRATES MIGHT SIT ON REVIEWS.**—The employment of Collectors and Magistrates in the trial of the reviews before the Judge and Principal Sudder Ameen, would initiate them in the actual practice of the Courts, and would render them more equal to the task of presiding themselves when promoted to the grade of Judge; and further, the practice of sitting together occasionally would prevent individual officers from adhering obstinately to useless and injurious methods and habits, and would contribute in an important degree to introduce uniformity of procedure.

78. **JUDICIAL DEPOSITS.**—Money paid into Moonsiffs' Courts in satisfaction of decrees if not applied for by the party entitled to receive it within the Calendar month in which it is lodged, should be sent into the Sudder Station to be lodged in the Public Treasury; all money so sent should go direct with a Chalan to the Treasurer and not through the Judge; the Treasurer would furnish a receipt, and the payment of money should in the same manner be made by the Treasurer to the party on the Moonsiff's order: the Sudder Ameens and Principal Sudder Ameens should act in the same manner; the deposit account to be kept up as at present separately: it is useless to send the money backwards and forwards, and the Judge's intervention is a mere farce, and of no effect towards preventing fraud or error.

79. **MOONSIFFS' OFFICES.**—The offices of the Moonsiffs ought to be respectable buildings, and built according to a fixed plan well adapted for the duty to be carried on in them: the wretchedly small and inconvenient Court rooms now assigned to many of our judicial officers, even Principal Sudder Ameen, are very serious obstacles to the administration of justice.

80. **THE JUDGE SHOULD VISIT THE SUBORDINATE OFFICES.**—The Judge should visit the Court rooms of all his subordinates occasionally, and should sit with them on the Bench, and see with his own eyes the manner in which business is conducted, whenever he has reason to doubt the efficiency of a Moonsiff or other subordinate; he should especially adopt this course, and should look over a few of his decisions taken at random out of his records; with this precaution and the opportunities of inspecting their decisions afforded by the appeals on points of law, a sufficient check would be kept up, and it would be difficult for any subordinate to retain his seat on the Bench without fairly and honestly doing his duty.

81. But the supervision of the Judge must be effective not nominal, real not pretended; and he should have time to exercise this duty, to which end it is absolutely necessary that his time should not be too much taken up with the performance of his own work; in this superintendence he should be assisted by the Principal Sudder Ameen who should be required to give in a written report of his opinion of the Moonsiffs whose cases have come before him during the year, both as regards their manner of conducting their duties and their personal official character.

82. **JURIES MIGHT BE ALLOWED IN SPECIAL CASES.**—The abolition of appeals on points of fact would very much lighten the work of the appeal Courts; and in order to secure greater correctness in the finding of the Courts of first instance, in this respect I would authorize them to try a case with the help of a Jury as regards the facts, whenever special grounds could be shown for doing so: but I would not permit this in ordinary cases; I believe the decision of a single Judge would give satisfaction in nine cases out of ten; and to require more in such cases would be to inflict unnecessary hardship on suitors, witnesses and jurors; in cases of special local custom however, of mercantile practice of accounts, where the accounts run over a considerable space of time, and it is necessary to examine carefully the books of the Mahajuns, a Jury or Assessors conversant with the ways and habits of the people, might be very useful.

83. **THE SUDDER COURT MIGHT ORDER A NEW TRIAL IN SPECIAL CASES.**—The Judge and Principal Sudder Ameen would have only the original suits above Rupees 1,000 to try, and the reviews of those decisions; the Sudder Court would have the special appeals on law points as now; and law appeals also from the Judge and Principal Sudder Ameen; no appeals on points of fact whatever; but I would give the Sudder Court the power of ordering a new trial when a decision appeared to it grossly wrong and inconsistent with justice; either by a spontaneous order on application of a party, or on the representation of the Judge or Principal Sudder Ameen; but this should be an extreme case, and the power should not be used except by a full Court, and on clear showing that a failure of justice has taken place; or some important defect of procedure, as for instance the want of due notice to a party; due notice is the essence of all judicial proceedings, and the utmost care and circumspection should be used to secure the correctness of the returns; I have great doubts whether the notices are duly and properly served, even those issued by the courts and other authorities; the notice or tullub bakee required to be issued by Zemindars before distraint is, I believe, scarcely ever issued at all.

84. **INTERLOCUTORY APPEALS.**—I would allow no interlocutory appeals whatever; appeals in miscellaneous cases and in execution of decrees might remain as at present, but facts upon which issue had been joined, and a trial on evidence had taken place, should not be questionable.

85. **OPINIONS OF THE PEOPLE AND OFFICIALS ON THE SYSTEM SUGGESTED.**—I have spoken with a number of persons of every description and class of life on the subject of the alteration suggested in the system of civil procedure, and have found every one, Zemindars, Ryots, Mahajuns, the European and Native Officers of Government, especially those who have worked hardest and know most of the practical effect of the present system. I have found them all of one opinion in condemning the dilatory hardship of the present mode of procedure, and in advocating that which I have recommended; the experience of the Country Courts in England which have actually supplanted the regular Courts of Justice is a strong and undeniable fact in favor of the alteration; a poor man or even any one of ordinary foresight and calculation might as well bring a suit in a Court of Chancery, as enter our Courts except on compulsion; they will not run the risk; and it is better for a claimant to put up with a considerable positive loss, than to run the gauntlet of litigation from a Moonsiff's Court to the Sudder in Calcutta, with a glorious uncertainty

of result which is increased in direct proportion to the number of functionaries employed either on the Bench or at the Bar in the conduct of the case, and the chance of any one of them making some legal trip or error, from idleness, ignorance, neglect or fraud.

86. **DRAWING OF ISSUES.**—If a more simple system of procedure be adopted as I have recommended, it will be desirable that the Courts return to the original rule prescribed by the law (Regulation XXIII. of 1814) which requires that parties or their representatives on trial state the facts and the Court shall draw the issues; this law has been rather strained to make it suit the present practice of requiring the parties or their representatives to draw the issues, and the Court to approve or overrule them as may appear necessary: I doubt whether any thing has been gained by the change; the strictly legal course appearing to me the best.

87. **EXAMINATION.**—Whatever may be the system finally determined on, no Officer covenanted or uncovenanted, Native or European, should be allowed to occupy the bench, without having passed an examination in the law and practice of the Courts; and no person should be eligible to the Sudder Court, who has not held the office of Civil and Sessions Judge for at least three years; without actual practice on the Bench in the interior, it is absolutely impossible for him, however good may be his talents, and knowledge of the law, to understand the actual operation of the law, or the real and tangible effect of his orders on the interests of the parties concerned; the precise weight, value and effect of his orders, however trifling they may appear in Court, cannot be understood without coming into nearer contact with the parties, and learning from them and from those connected with them in what manner they are affected by them, it is a matter which no foresight or sagacity can discover, and it is only from experience and actual examination of facts that a true insight into it can be obtained.

88. **AN AGE OF SUPERANNUATION SHOULD BE FIXED IMPERATIVELY.**—To prevent the Government service from being encumbered with men, who, though they may have been useful and effective Officers, are no longer so, having been worn out by age, ill-health, or become incompetent to discharge their duty, it is desirable that a term of service be fixed, after which it shall be considered that an officer is superannuated, and must vacate his office and retire; the term I would suggest is 35 years of service, and I would apply this to members of the Civil Service as well as to the uncovenanted servants of the Government.

89. I have known many instances of persons worn out and unfit for their profession continuing to hold office, from the difficulty of fixing on them some positive defect which would justify a special order for removal; there should be a term in ordinary cases, and whether native or European, I think that after 35 years' service, the State would be better served by younger men; special exceptions might be allowed, when an officer was appointed to council, or to be a Governor or Lieut. Governor; but the ordinary official career should be considered closed after 35 years; if a scrutiny were held for the last 20 years into the character of those who have held office beyond that time I doubt whether it could be shown that in any one instance the State would have been a loser by the forced retirement of the incumbent.

90. JUDICIAL CRIMINAL.—A CRIMINAL CODE REQUIRED.—The improvement of the administration of criminal justice awaits the completion of the Criminal Code: it is much needed; the defects and incompleteness of the present Code of Regulations are in some measure supplied by the general principles of the Mahomedan Law; but although that law has been well considered and the principles are known and established, and in some respects are admirable, it is a most circuitous way to find the law applicable to a case, to seek it through a foreign system of jurisprudence which is so mixed up with religious doctrines as to be in many respects unfit for use.

91. The Code is urgently required; and whatever rules for administration of criminal justice are adopted, those rules should be general and applicable to persons of all classes, Europeans, natives, foreigners, or whatever they may be, without reservation or exception of any kind whatever; the present exemption of Europeans from the jurisdiction of the Criminal Courts of the country, is an anomaly to which I know of no parallel; if the system in use is not good enough for the Europeans, they should not come into the country till it is amended; but if they do come they should be subject to it; it is useless to enter into points of detail and particulars, while this main defect is allowed to exist; a Code is urgently required, and even a defective one, generally applicable, would be better than the present system.

92. DEFECTS OF THE PRESENT SYSTEM OF PROCEDURE.—In the actual trial of criminal cases, there is one defect in the system in use, that the witnesses are not all heard *viva voce*; their depositions are taken in the office by the native Clerks, and although the Magistrate or the

Officer presiding, is supposed to hear the witnesses over again and sometimes does so, still he does not hear them, nor examine them so carefully, as he would be obliged to do, were his notes the only record, and the examination before him the only examination: when a witness has been examined before a Police Officer, and again in the Magistrate's *serishtah*, again before the Magistrate and afterwards before the Sessions Judge, his deposition becomes a kind of lesson which he is careful to repeat as exactly as possible; there is a total want of freshness, and natural air in his manner of delivery.

93. **PERJURY THEREBY OCCASIONED.**—I consider this to be a main and principal defect of our judicial proceedings and to lead to the habitual commission of perjury more than any other circumstance; the witnesses are allowed to say their depositions as lessons taught them; and the same value is attached to such statements, as to answers given readily to questions put in forms varied so as to attract notice and require thought in the replies; there is but one remedy to this; the depositions should be taken once for all and be delivered *vivâ voce* on trial, and written down in the presiding Officer's notes.

94. **DAROGAHS SHOULD NOT WRITE DOWN DEPOSITIONS.**—There is no necessity of the Darogah or Police Officer taking evidence in writing: he should inquire and shape his proceedings according to the statements made to him; but no record of these statements is necessary farther than the mention he makes of them in his report.

95. **THE MAGISTRATE SHOULD EXAMINE IN PERSON.**—Before the Magistrate, whether on trial or inquiry preliminary to committal, all depositions should be heard from the beginning to the end by him, and should be elicited by his questions; the practice of taking depositions in chief in the *serishtah* being entirely abolished: the Magistrate should make his own notes of the evidence and those notes should be the record; if a separate record in the language spoken by the witnesses be considered necessary, it should be taken at the same time, but it is essential to a trial, in fact to the discovery of the truth, that the trial should be on *vivâ voce* depositions delivered in open Court and on no other *deposition whatever*: this would shorten the deposition and would deprive the Court officers of an opportunity and of a most powerful engine, now in their hands, for the perversion of justice; it would prevent perjury and lead to its detection, for the judicial Officers by the habit of continually examining the witnesses themselves, would get more into the way of

effectual cross-examination; it is a matter of surprize, that although the practice of perjury, direct and positive, as well as by giving wilfully a wrong coloring to actual facts, is known to be not only common but almost general, the convictions, and even trials for that crime are very rare.

96. **MAGISTRATES SHOULD BE EMPOWERED TO TRY FOR PERJURY.**—I think it might lead to more frequent punishment of perjury if the Magistrates and other Officers trying any case, were empowered to sentence for that crime to the term of imprisonment within their powers for other offences; leaving them to commit to the Sessions, whenever the enormity of the crime with reference to the circumstances attending it and the object in view, were such as to require a heavy punishment: at present witnesses committed for perjury are not unfrequently sentenced to six months' or a year's imprisonment: this might as well be done by the Magistrate as by the Sessions Courts.

97. **PROSECUTORS AND WITNESSES SHOULD BE PROTECTED.**—In the conduct of all criminal trials whether sent in by the Police or on suit brought before the Magistrate or his Deputies, the utmost care should be taken to prevent the witnesses and prosecutors from being subjected to the least unnecessary trouble; at present they are sent in a string like criminals and under the charge of Burkundazes or Peons: this should never be allowed until after a witness has forfeited the penalty fixed by the subpoena in case of his not attending the Court on the day specified.

98. **SUBPOENA.**—In ordinary cases a subpoena should be served on the witnesses' prosecutors to appear on a fixed day in the Court where the trial is to be held; and on default, the penalty should be always levied; but they should be left to find their own way to the Court; and to report their presence; and the Court should so arrange matters as to be able to take their depositions very shortly after their arrival; all witnesses should of course be furnished with subsistence, *eundo, morando et redeundo*, when they require it; the absence of laboring men from their labor is too serious a loss to them to be incurred without the means of subsistence even being supplied to them.

99. **SUBORDINATE CRIMINAL COURTS REQUIRED.**—One Criminal Court is insufficient for a Zillah, extending generally for 100 miles with a breadth perhaps of 50 or more; the distance which the witnesses have to travel is a very serious evil to them; in heavy cases when they have to perform the going twice over, once to the Magistrate and a second time

to the Sessions, the evil is still greater, the Sessions Judge ought to be required to take up the Sessions cases immediately on committal, so as to save the witnesses the annoyance of coming twice to the Sudder Station; and the establishment of Deputy Magistrates in various places, distant from the Sudder Station and near towns or places where crime is prevalent, tends greatly to save the witnesses from unnecessary journies: I have in my local reports pointed out where such officers are needed.

100. MOONSIFFS SHOULD HAVE CRIMINAL POWERS.—But something more than this is required to render the administration of justice effectual, and to prevent the parties from taking the law into their own hands when they have received some petty injury: to this end it is desirable that there should be an officer in every Moonsiff's jurisdiction with power to receive charges of assault, trespass, petty theft, and to investigate and punish those offences, within certain limits: imprisonment for one month or fine not exceeding Rupees 200: if the Moonsiffs have time to give to this department, they are the proper persons to exercise these powers; but I fear in some instances they may have too much civil employment; in that case I would advise that the Ameens whose appointment I have recommended in each Moonsiff should be vested with this power.

101. DISPROPORTION OF CONVICTIONS AND ACQUITTALS.—Of persons accused of criminal offences, sent in by the Police, the number convicted is small in proportion to those acquitted; the acquittals generally exceed the convictions; it is difficult to account for this: the evidence heard is nearly the same; the Police Officers have an interest in sending a challan and probably think that if they send in the offender, it is not their fault if the Magistrate acquits him, but this feeling is hardly sufficient to account for the large proportion of acquittals: I think it is in some measure owing to the practice of taking depositions in the serishtah; the officer holding the trial has less faith in what is brought to him thus ready written on paper, than if he had heard the same statement by word of mouth; and the Mohurirs get into a formal way of recording the evidence which gives a strong family likeness to all depositions in cases of the same description, and certainly disposes one to view them with distrust: some Magistrates have too much work on their hands, and are obliged to hurry through it: and it is always easier to acquit than to convict; all these circumstances combine to occasion the acquittals of so many persons who are thought guilty by the Police.

102. But the same disproportion exists with the parties charged before the Magistrates and his Assistants, indeed a larger proportion of these are acquitted than of the persons sent in by the Police; this can only be attributed to want of careful examination of witnesses before issuing process against the accused: and inclines me to attribute the disproportion in the Police cases to the same defect.

103. DISPUTES REGARDING LAND.—A very important class of cases is that of disputes for possession of land, houses, &c., which are disposed of under the provisions of Act IV. 1840; if these are to remain in the hands of the criminal authorities, the right of appeal to the Sessions from the order of the Magistrate should be withdrawn; the effect of this appeal is bad in practice, for many of the appeals lie over for a year or longer, and the Sessions Judges are much too ready to interfere by even trifling alterations than they ought to be; and it is bad in principle: the right to possession can be better decided by the officer who hears the witness *vivâ voce*, than the Court which reads them over in the record; and farther, the object of the law is to settle the point of possession speedily and to prevent affrays and personal disputes; the decision is a summary award of a civil right, and should be final until a Civil Court declares it erroneous; I strongly advise that the right of appeal from such decisions be withdrawn.

104. When the dispute regards only possession and not the position of a boundary, the Magistrate can decide well enough; but for the determination of a boundary, a local investigation is absolutely necessary; a special Ameen is usually sent, who endeavours to make as much of the case as he can; it would be better to employ a paid officer of the Government, and in cases of importance I would empower the Magistrate to refer such cases to the Moonsiff.

105. OATHS.—Oaths have been altogether dispensed with in our Courts, that is the religious feature in which the objectionable portion of their character was supposed to exist; the declaration now required is a mere warning to speak the truth, or rather an assent on the part of the deponent that he will speak the truth: the objection of the natives to come into Court and give evidence is not diminished however, a fact which shows that the objection was a mere wish for the dignity of exemption from an important duty, and was in no way connected with religious prejudice; it has been suggested to me whether it would not be advisable to give up even this declaration and to render a party

stating any thing false to a Court of Justice in a case before it, liable in all instances for perjury; but I think that a witness should have a warning when commencing his deposition; that he may avoid the looseness and incorrectness of ordinary conversation; I would therefore retain the declaration to which no reasonable objection can be made by any honest man, whatever may be his rank, position, or religion.

106. WITNESSES SHOULD BE TREATED ACCORDING TO THEIR RANK IN LIFE.—I believe that much of the difficulty experienced in obtaining evidence of respectable persons would disappear, if they were treated with more respect when they do attend to give their deposition: if their position in life is such as to entitle them to a chair, it should be given in a Court as elsewhere; and witnesses or accused, or the representatives or advisers of parties, every one interested in the case on trial should have the means of attending without personal discomfort; I have known parties in a case kept standing so long as almost to fall down from faintness; and in some of the Civil Courts there are no benches even for the pleaders; those matters should be all regulated in an uniform plan, and all persons coming to a Court of Justice ought to be protected from the insolence of office, while they should be made to show respect to the Court which is due and necessary to enable it to perform its functions.

107. GOOD COURT ROOMS INDISPENSABLE.—This can only be effected by having good commodious Court rooms, and making them public to all who choose to enter and watch the proceedings; also by the officers of the superior Courts attending the Courts of inferior jurisdiction occasionally and watching the course of proceeding with their own eyes.

108. POLICE.—DIFFICULTIES PECULIAR TO BENGAL OF ESTABLISHING A POLICE.—It is most difficult to establish a good system of Police in Bengal; in most countries the Police has the support of the people at least in the repression of acts of violence, of theft, robbery, murder and the like; even in the Western Provinces of India or in Behar, there are no dacoities; for the trade of a dâcoit is by no means a secure one; a native of Behar or the West, if his house is attacked, will resist the attack, and protect his wife and children and his property: but in Bengal, the people are not only without the courage to resist violence themselves, but they prevent others from taking effectual measures for their defence by giving false information; if a man's house is attacked by dacoits he will run away at once and leave his wife and children to be tortured and his house to be

ransacked, while he looks on from his place of concealment under some bush close by; and when the robbers are gone, he will go to the Police and swear that he recognized such and such men of the same village or the vicinity against whom he has some personal spite, and will persuade his neighbours to swear to the same falsehood: this is most commonly the nature of the evidence available when a dacoity occurs; and it becomes a matter of great difficulty to discover some method of repressing violence among a nation of men destitute of personal courage or of arriving at the truth among a people so universally given to falsehood.

109. **AGENCY OF ACCOMPLICES.**—It is plain that without the help of the people no opposition can be made; all that can be done is to endeavor to punish those who have committed the offence, and as the people will give no help, the agency of accomplices is the only resource left: this agency is now brought into operation, and I think with great success: one of the results has been to discover that many innocent persons have been sentenced on the faith of the evidence of parties interested, and several have been thus released, the accomplices having admitted that they committed the crime themselves, and that the men convicted, were not among the perpetrators; the effect of the evidence of these approvers is thus not only lead to the punishments of the real robbers, but to the exculpation of those who have been wrongfully convicted: it would seem from this that the evidence of the robbers is more trustworthy than that of the robbed; and I believe this is the case.

110. The agency of accomplices should be the engine with which our Police should work; it is with this means that all that has yet been done in the Thuggee or Dacoity Departments has been effected: the people will neither fight nor tell the truth: I see no reason why this agency should not be more generally brought into play, and applied to other crimes as well as to dacoity; especially to affrays, and all acts of violence; I believe it is the only safe way of proceeding; the evidence of witnesses to recognition of persons and property, which is generally produced in cases of robbery, is of a very questionable nature, and it often bears the stamp of being got up so clearly upon its face that the Courts reject it as untrustworthy, however complete it may be in itself.

111. **THE NATIVES OF BENGAL HAVE NO POWER TO COMBINE.**—That the evidence of accomplices is almost always to be had, if rightly sought for, I have no doubt; the Bengalees will never combine, or if they do they will not keep faith with their comrades; when Commissioner of

Revenue at Moorshedabad, I was once disposed to believe that there was a combination among the Zemindars and other persons not to purchase at Government sales, the estates were sold for such low prices: but several persons whom I consulted on the subject, Bengalees themselves, assured me that there was no fear of such a combination; the people could not depend upon each other for keeping faith; and I afterwards learned that they were right, and that the low prices fetched were owing to other circumstances.

112. By proper arrangement I have little doubt, the Magistrate might obtain clues to conviction through the agency of accomplices in almost all cases; if it cannot be done this way it cannot be done at all, I have pointed this out to several Magistrates in the course of my tour, and I have since heard that the advice has in some cases been acted on with success.

113. **THE MAGISTRATES ARE TOO YOUNG AND INEXPERIENCED.**—But I doubt whether the Police establishment is managed in the best method: the men in charge of the Magistracies are too young and inexperienced to concert and direct a plan of operations; their youth and energy are most useful in carrying out operations, but a more experienced head is required to plan them; it would be a great improve-

**COLLECTORS SHOULD BE MAGISTRATES.** ment on the present system to make the Collector Magistrate of his district: he might still derive great assistance from the Deputies, and might turn their talents to the best advantage, relieving himself of detail, and retaining only the superintendence and general organization of the Police in his own hands; the existence of this power in the hands of the Collector would be beneficial not only in the Department of Police, but as a fiscal officer his hands would be strengthened, and his fiscal powers could also be brought into play in extreme cases to support the authority of the Police; it is very proper that it should be so turned to account; the support of the Police in the exercise of its legitimate authority is the duty of every member of the community, more especially of every officer of Government.

114. **COMMISSIONERS SHOULD BE SUPERINTENDENTS OF POLICE.**—As a check over the Collectors in their Magisterial capacity and to secure some degree of uniformity in the system of Police, it is desirable that the agency of the Superintendent of Police should be made real and not nominal as at present; one Superintendent of Police for all Bengal may

be looked on as very little more than a Minister of Police on the part of the Government, his control over so large an extent of country is necessarily extremely weak; the Commissioners of Revenue have less work on their hands than any class of Government Officers; they were originally picked men of active habits, and willing and able to inquire into local matters, intended to look generally after the interests of the Government, and the general agency of official persons of every grade and Department; the supervision of the assessment and collection of the revenue were their especial province; but now there is nothing to assess, and the collection of the revenue is a mere mechanical operation; the Commissioners have thus little to do, and instead of being men of active habits continually on the move, not only to do, but to find out what is to be done, they pass their time chiefly at some favorite station of their divisions, making regular periodical visits only when they feel themselves forced to do so.

115. I would vest these Commissioners with the powers of Superintendent of Police, each in his own division, and they should correspond with and act under the orders of the Government communicated to them by the Minister of Police; whether the duties of Minister of Police should be entrusted to a special officer, or whether they could be performed by the Secretary to the Government in other departments, is a matter for consideration, with reference simply to the amount of labor; but I am convinced that the Commissioners of Revenue have ample time to give to the active superintendence of this department.

116. ZILLAH ESTABLISHMENT AS PROPOSED.—The Zillah establishment would then stand thus: for the Civil Department, a Judge, Principal Sudder Ameen and Moonsiffs for the Fiscal and Police, and Criminal Justice a Collector and Magistrate, with a sufficient number of Deputy Magistrates, at each Moonsiff an Ameen with the powers of Registrar of Deeds, Stamp Vender and Commissioner for distraint and sale of property in execution of decrees, summary or regular; a Darogah, Mohurir and Jemadar at each Thannah: the Thannahs being divided among the Deputy Magistrates.

117. Appeals from the Collector and Magistrate in the departments of Police and Revenue, would go to the Commissioner of Revenue and Police; in the Department of Criminal Justice to the Sessions Judge.

118. SALARIES.—Probably some alterations would be required in the salaries of the various offices; but the course of promotion would be

from Collector to Judge and from Judge to Commissioner, and thus to the Sudder Court and Board: the pay of the Darogah ought in my opinion to be never less than Rupees 100, that of the Mohurir of a Thannah, Rupees 25, a Jemadar should have Rupees 20, and should be a mounted officer, and keep his own horse; this rate of payment is not more than is indispensable to maintain them in a position which would place them beyond temptation to dishonesty and fraud.

119. VILLAGE WATCH.—The most important and most difficult portion of the Police Establishment remains still to be considered; the village watch.

120. To place this in a state of efficiency is absolutely necessary: it is a part of the old established rural system of the country from one end of India to the other, that a village watchman shall be appointed to every considerable village; in the towns a punchayet is appointed to assess the establishment on the householders, and the law on this head is clear and decisive: the law also requires the village watch to be kept up by the Zemindars: but what shall be the strength of this establishment; what number of houses requires a watchman; what shall be his allowance in money or in land, is left undecided; whatever lands or money allowance existed at the time of the decennial settlement for the maintenance of the village watch, was excepted from the settlement; and the Government has a right to enforce on the Zemindars that the allowance, &c. be still paid; if the Zemindars have appropriated them, they have done so illegally.

121. But it stands to reason that where no such allowance exists, it has been appropriated and may be required: I maintain this to be the meaning of the law, and that the Government is competent now to require the Zemindars to appoint and to pay a village watchman in every village where the number of houses may appear sufficient to require it; I find that in some places the Zemindars have shifted this expense from their own shoulders to those of the ryots: and levy a certain sum on each house for the maintenance of the Chowkedar, giving nothing themselves: if the ryots choose to pay this, there can be no objection, but the payment cannot be enforced either by the Zemindar or by any other authority; at least there is no law for enforcing it.

122. LEGAL ENACTMENT REQUIRED.—Whatever may be the established practice in various parts of the country, there is no doubt that a legal enactment is urgently required to place the matter on a

satisfactory footing; the watch must be kept up and paid, and the amount and the party who is to pay it, must be settled by positive law; and until this is done there is no hope of efficiency in the Police.

**123. THE APPOINTMENT OF THE WATCH SHOULD BE IN THE HANDS OF THE GOVERNMENT.**—It is useless to allow the Zemindars to appoint the men; they should be chosen and appointed by the Government officers if they are to be subjected to any rule or discipline: this has been found necessary elsewhere and is equally so in Bengal.

**124. RIVER POLICE.**—There is no efficient River Police, though it is well known that river dacoities are prevalent to an extent far surpassing that which appears from the Police Returns; a system of river patrol should be established in the places where there is reason to believe that such crimes are common; the crime of purposely wrecking boats and then plundering them, is so analogous to dacoity, that I am unable to distinguish between them; a river patrol would have the opportunity of checking this offence, which is generally tangible from the fact that the boatmen choose the vicinity of some village, where the inhabitants are in league with them, to effect their purpose; but it is not enough to have boats and appoint crews, the application of the establishment to the purpose for which it is intended should be strictly looked to; this is the important part of the Magistrate's duty, and I am afraid that in many Zillahs, either from want of time or other reason, this enforcement of the regular detail of the movements of the Police is too much lost sight of; unless the control over it be strict, continual and regular, the Police force becomes a source of oppression to the people, rather than a protection; unless it is kept under strict discipline, and well worked, they are better without it.

**125. EFFECT OF ACT V. OF 1848.**—The provisions of Regulation V. of 1848, have been of the greatest utility in checking the crime of affray: but though this is admitted by the Magistrates, they are unanimous in saying that this preventive might be carried farther: the principle is to establish a pecuniary liability against the parties likely to commit a breach of the peace; it is found that this deters them more than any other consideration; but in the application of the law it has been held that unless the party giving recognizances is actually present at the time the peace is broken, he does not forfeit his recognizances, he may therefore send others to commit it with impunity: all those with whom I have spoken advocate the enforcement of the penalty when the peace is broken obvious-

ly for and on account of the party who gave the recognizances, the actual perpetrators being his servants, or hired club-men, and having no direct interest whatever in the result and object of the affray, and certainly that seems the most reasonable view of the subject; if the terms of the present law, or the terms of the bond now in use and forming part of the law, are insufficient to reach the party whom it is desirable to bind, the terms ought to be altered; otherwise the check on affrays is but partially effective.

126. INDIGO PLANTERS SHOULD BE EMPLOYED.—It appears to me that the efficiency of the Police might be greatly increased, if the energy and shrewdness of the European planters resident in many districts were called into play to support it; these men have conferred a great benefit on India by introducing improved systems of agriculture and increasing the value and amount of the produce and exports of the country; they have a greater interest in the welfare and general tranquillity of the country than any other class; it is true they are sometimes rather difficult to rule and manage; this is usually the case with men of energy and determination; but those very qualities are what we require in the Police, in fact they are indispensable, and as they are not to be found among the natives of Bengal, we must look for them elsewhere. I know that in Zillahs where the Magistrate has the tact and good sense to manage such men, they have even now rendered good service to the Police; I may mention particularly that this has been the case in Zillah Nuddea; I think the Police authority might with very great advantage be vested in some of the planters; I am far from saying they are all fit to be trusted with such power, this could not be said of any class of men, certainly not of the Civil Service, but by careful selection of men, not only able but willing to give assistance, I believe that our Police would be greatly strengthened; I would not confer any judicial powers on them, for they have neither time nor knowledge of the law sufficient to enable them to exercise them with advantage; but with the help of the Police powers of a Deputy Magistrate, they would be enabled to act with great force towards putting down dacoity, and all other crimes attended with violence, with which the timidity of our Police renders them unable to cope; and it would be worth their while to exercise such powers even without any pecuniary remuneration.

127. MEANS OF STRENGTHENING THE HANDS OF THE MAGISTRATE.—The authority of the Police would be greatly strengthened by

being combined, as I have recommended, with the fiscal authority in the same officer ; but to render this practicable the jurisdiction of the Magis-

JURISDICTION SHOULD BE COUNTERMINOUS. trate and Collector must be made precisely counterminous ; and the same opportunity should be taken to make the jurisdiction of the Zillah Court tally with the Fiscal and Police jurisdiction exactly ; to do this effectually the natural features of the country ought not to be lost sight of ; the large rivers form excellent boundaries, and there is no want of them in Bengal ; the ranges of hills are equally well adapted for the purpose, the most simple principle is first to establish the Police jurisdiction of Thannahs, to combine a certain number of entire Thannahs in one Moonsiffiee ; the Collector's Ameen to have the same extent of jurisdiction as a Moonsiff : the number of Thannahs under the Magistrate to form the limit of the fiscal jurisdiction of the Collector and of the Zillah Judge's authority : the difficulty which has been raised with regard to the payment of the revenue, appears to me to be of no force whatever : the Government has full power to declare where the revenue is to be paid, provided that it be at the nearest Collector's Treasury : where an Estate lies in two or more Zillahs, the revenue might be paid in the Zillah in which the larger portion is situated ; objections raised by private individuals to such an arrangement are entitled to no attention ; although as a favor, special exemptions might be allowed.

128. INFLUENCE ON ZEMINDARS.—The combination of Fiscal and Police functions in the same person would enable the Magistrate to exercise a greater degree of influence over the Zemindars, and to force on them the performance of the duty required of them by the law of the country, as well as by the principles of every description of Government, of supporting the Police to the utmost of their power ; so far from this being done at present, there is reason to believe that the crimes attended with violence which are committed and which have been most troublesome to check, have been fostered and connived at by the Zemindars : the dacoities now so common and the affrays both of them often attended with bloodshed, are known to be usually committed by the hired servants of the Zemindars, commonly known by the name of lateeals or club-men : the present Dacoity Commissioner informs me that from the information he receives from his approvers, (I believe the best information to be had,) this fact is quite clear ; it is to be held in mind that these lateeals are not usually natives of Bengal, but hired ruffians

from the North-West or Behar, bold and powerful men, who subsist by a life of plunder, receiving pay from the Zemindars to whom they attach themselves for protection only on the occasion of special service done him.

129. **ZEMINDARS OPPOSE INSTEAD OF SUPPORTING POLICE.**—It is notorious that many Zemindars keep up large bodies of these fighting men to terrify their neighbours and defend themselves : they do not deny it ; and plead in excuse that the practice is so general as to render it impossible for any individual to discontinue it with due regard for his protection ; these men, or rather bodies of men, are more than a match for our Police, and as long as the practice of retaining them is kept up, so long will dacoity and affray be prevalent.

130. **LEGAL ENACTMENT REQUIRED.**—The practice of keeping such bodies of armed men or of collecting them ought to be declared illegal and punishable ; the law has already declared it highly penal to belong to a band of dacoits, the penalty should attach to the offence of belonging to a band of lateeals ; and any Zemindar, farmer, planter, or other person should be liable to punishment for collecting, harboring, or supporting such bands of men ; in fact the Zemindars and Landholders must be brought under the power of the Police and must be made to support it ; as long as they withhold their help and even oppose it and are allowed to do so with impunity, the Police cannot be rendered efficient : to this end I would direct the operations of the executive, and the enactments of the law, and I would leave no means untried until this object, which is indispensable to the establishment of an efficient Police, capable of coping with the existing state of crime, has been finally and completely accomplished.

131. **POLICE OFFICERS SHOULD BE CHOSEN FOR QUALIFICATIONS NOT BY GRADATIONS.**—The examinations of Civil Servants which they must pass before they can exercise the full powers of Collector and Magistrate, are such as to ensure their being sufficiently acquainted with the law and language of the country ; but this will not alone render any one an efficient Police officer ; indeed there are many men who from want of natural energy, and of the habit of acting readily and effectually, can never be made fit to be trusted with the control of a district Police ; in their hands there would be a want of regular discipline in the administration, which is fatal to efficiency in the subordinate Police force ; it appears to me that such men ought not to be entrusted with Police : it is quite certain that in their hands the improvement of a Police cannot be effected.

132. The regular steps by gradation in the Civil Service cannot, in every instance, be occupied each in succession, by every member of the service; some of them are not fit to be Magistrates, some well adapted for that purpose, but not possessing the qualities required to fill the office of Judge; it seems to me that this kind of personal fitness should receive more attention: I would not pass over a fit man in filling up an appointment, but I would not appoint him to a charge to which he was known to be unequal.

133. To this it may be said, what then shall be done with such men? The answer is not easy; there are few men who are not fit for employment in some department; but in the Police peculiar qualities are necessary, and it is no great disparagement to say that a man does not possess those qualities; indeed many men of the highest attainments would be unfit to superintend the Police of a district; it is a peculiar art which is sometimes possessed by men of ordinary capacity; but of much energy and activity of mind; and these qualities must be sought for, if there is to be any discipline or sound system of administration in our Police.

134. PUBLIC PROSECUTOR RECOMMENDED.—I must not omit to mention in conclusion that it is in my opinion essential to the formation of a good and efficient Police, that there should be a public prosecutor to conduct the prosecution of all cases affecting the public; ordinarily for all robberies, thefts, burglaries and for perjury and forgery, and crimes of a similar nature the prosecution should be carried on by the public prosecutor. I would not prevent private prosecutions in cases in which the public prosecutor may not think proper to act; but for the most part the duty of prosecuting is a serious burthen, especially for men of small means; and it appears to me erroneous in principle to allow a public offender to escape punishment, because the trouble and expense of prosecuting are too great to make it worth the while of a private individual to come forward.

135. JAILS.—THEIR CONNECTION WITH THE POLICE.—The state and management of the Jails is so nearly connected, with the state of the Police, that they cannot be considered independent of each other; men otherwise entitled to liberty are consigned to Jail because they have committed an offence against the community; their incarceration prevents them from committing the same offence while it lasts, and the disgrace, as well as the personal suffering attending it,

deters others from following the same course; like other punishment, it is not the severity which acts most forcibly; the punishment should be severe, the discipline strict, but neither should be carried to excess: the one thing which acts most forcibly in deterring from crime is the certainty of detection, and the disgrace and disruption of social ties which attend it.

136. ISOLATION OF CONVICTS.—The entire separation of convicts from the rest of the community during the term of their punishment, is no doubt admirably adapted to serve the purpose; but this cannot be adopted unless the Jails are so constructed as to admit of the employment of the convicts within the walls, and isolate them completely and cut off all communication with the outer world except through the medium of the Jail officers: such a system, if carried out effectually, would render imprisonment a serious infliction, although every attention were given to the food and health of the convicts.

137. PRINCIPLE OF INTERNAL MANAGEMENT.—The internal management of the Jail should be directed to the attainment of this object generally as far as may be practicable; the proceeds of the work of the convicts within the Jail should be used as a set off against the expense incurred by the community in feeding and confining them; they should be forced to work hard, and to get through a certain quantity of work every day; in fact they should be required to exert themselves for their own maintenance: nothing can more contribute to the reform of an offender than to discover that if he will not work honestly for his maintenance in a state of liberty, he will be forced to do so in a state of confinement; and farther, the mere habit of daily occupation though forced on him in the first instance becomes a strong inducement to continue it after liberation.

138. JAIL DRESS RECOMMENDED.—But the entire isolation of the convicts, the adoption of a Jail dress, and enforcement of the use of that and of no other with a total disregard of caste and station in life are necessary to render the punishment of imprisonment of any use; all convicts should be looked on as on the same footing while they remain in Jail, and no distinction should be allowed, either as regards rations, clothing or work: the distinction if any should appear in the sentence: but imprisonment with hard labour should be the same for all: the only distinction being in the term assigned for it.

139. ALL CONVICTS SHOULD BE FORCED TO ADOPT JAIL DRESS AND TO SUBMIT TO THE JAIL DISCIPLINE.—There is too little attention paid to this principle in the Jails of Bengal; in fact the principle is not

admitted: convicts are allowed to please themselves in their manner of wearing their beards and moustaches and in their clothes; and separate cooks are allowed from the various castes of convicts to cook for them: the convicts might be classified together in the different wards according to the term of their imprisonment, and the same classification might be allowed in the working portion, as far as practicable; but in other respects all should be on precisely the same footing; their hair should be cropped, and beards shaved, as a part of the prison discipline.

140. **INSPECTOR OF JAILS REQUIRED.**—No general system of management can be introduced into our Jails as long as each Magistrate is left to vary the internal management according to his own fancy, and to determine whether the convicts shall work on the roads or inside the Jail; to render Jails what they ought to be, an Inspector of Jails should be appointed, and furnished with general principles of management; and he should be required to visit each Jail in succession and see that the system decided on as the best and most conducive to the attainment of the objects in view, is thoroughly and properly introduced; and afterwards he should be continually on the move from one Jail to another, looking into the improvements of the buildings, the state of the rations, the treatment at the Hospitals, the expenditure of the establishment, the proceeds and income from the convict labour: until an Inspector of Jails is appointed, and the internal management made, the object of separate and exclusive study, the punishment of imprisonment will always be in a great degree ineffectual and uncertain in its nature.

141. **GUARDS MUST BE STRENGTHENED.**—If however the punishment of imprisonment be rendered thus mechanically uniform and severe, we must expect that attempts at escape will be more frequent; the discipline of the Jail guards, and their strength will in that case require to be more carefully proportioned to the duty assigned them. I believe there are now few Jails in Bengal from which a resolute and active man could not effect his escape; that escapes are not more frequent is owing to the extreme leniency of the imprisonment; it is scarcely worth while for the convicts to attempt to get out; but with severe and regular Jail discipline the case would be greatly altered, and the irksomeness of the tasks imposed on them, joined with their complete separation from all social ties, would lead many to make the attempt at all hazards.

142. **STATE OF JAIL BUILDINGS.**—Much has been done lately towards the improvement of the Jail buildings: and they are generally

kept clean, and tolerably ventilated: I have, in my local reports, already noticed the particular respects in which each is defective; the Jails of Maldah and Moorshedabad are positively a disgrace to any civilized community; they have been in the same state the last ten years, and the subject has repeatedly been reported and brought to notice by the local authorities; but either without effect or with so slow an operation, that, as regards the Jails and their inmates, the effect is up to this time imperceptible.

143. VENTILATION.—The most important quality in a Jail is ventilation, and a sufficient allowance of cubic feet of air to each inmate of a ward; I do not think that this is sufficiently attended to: each ward in a Jail should be carefully measured by the Executive Officer and the area estimated in cubic feet; the number of cubic feet sufficient for each man being then fixed, the number of convicts which each ward is fit to receive should be finally fixed and declared, and the Magistrate should be strictly prohibited from placing a larger number in it.

144. The arched roofs when of a low pitch, very greatly reduce the area of a ward; and the thick internal walls and pillars which support the arches, still farther reduce it; these are not sufficiently allowed for, the height, and length and breadth are generally taken as the data; this will answer for flat roofs, but with arched roofs of the same height there is scarcely above one half the number of cubic feet of air: this should be attended to carefully in the original construction of Jails: whether of flat or arched roofs, there should always be ventilating openings in or near the roof to allow the escape of the deoxydized air.

145. PRIVIES.—The Privies are a most difficult part of the Jail to manage; the system of trucks seems to be the best and it should be adopted invariably; but the drains or cess-pools for the final reception or removal of the filth ought to be covered over, and provision should be made for their periodical cleansing: I am afraid it is too soon to hope for the application of this to its legitimate purpose of manure in Bengal.

146. RATIONS.—The rations and cooking of the convicts' food have, as far as I have remarked, been good and sufficient; indeed the supply of food to a convict is superior to that of a laboring man in a state of freedom; this should be looked to, but the propriety does not depend on that comparison: the convict should have sufficient quantity of food to keep him in a working condition, and by this consideration only should the ordering of the rations be guided; the peasantry are often very ill fed,

both in quantity and quality, and the privations they endure ought not to be inflicted on a convict; the absence of tobacco, which has lately been stopped has had no bad effect; it is a mere luxury, and as such ought not to be allowed in a Jail.

147. EMPLOYMENT OF CONVICTS ON ROADS.—The only excuse for working convicts on the Public Roads is, that unless the Roads are mended and kept up in this manner they would be almost entirely neglected: this is a good reason, but it is a bad way of making Roads, and bad way of employing convicts.

148. CIVIL SURGEONS MAY HAVE CHARGE OF JAILS.—It has often occurred to me that the services of the Civil Surgeons might be rendered more extensively available in the management of Jails; in many places those Officers have but very little to do, and would be glad to have some means of applying it usefully, and remuneratively: if an Inspector of Jails were appointed, the Surgeon might relieve the Magistrate of almost the whole of the detail management of the Jail, and the immediate superintendence of an educated and intelligent man would be of great benefit and would tend materially to improvement; it is not every Medical Officer who is fit for such a trust, nor is it every one who would wish to undertake it; but where he is both fit and willing, I would strongly advise that he be so employed, and that an extra allowance be made to him on that account to be taken from the proceeds of the convict labor, which should be subjected to his management, with the rest of the internal economy of the Jail.

149. FARMING OF CONVICT LABOR.—It has been the practice in America, to farm the convict labor to the highest bidder; and with proper precautions to prevent overworking the men, and restrictions as to time, nature of work and other particulars, this is not a bad plan; but it cannot be adopted here till the economy of our Jails has made many steps in advance of its present state; still it may be held in mind, as a practicable scheme, to be adopted as soon as circumstances become such as to admit of it.

150. FEMALE AND YOUNG CONVICTS.—One point connected with the interval management of Jails, requires attention, the treatment of the women and children. The wretched state in which the institutions of the country force the women to live, and their total want of the very first rudiments of a knowledge of right and wrong, with the harsh and cruel treatment they often undergo from their husbands and relations brings

them frequently within the precincts of the Jails, and they as well as children of a tender age are sentenced to imprisonment for life ; there is a girl of 12 or 13 now in the Dinagepore Jail under such a sentence.

151. **TOTAL WANT OF EDUCATION OF FEMALES.**—This sentence is always for murder ; but it is obvious to those who have had the care of children that a totally uneducated child of that age has scarcely a power to distinguish between right and wrong : she would know that it was wrong to inflict suffering on another, but of the enormity of the crime of murder she would be perfectly incapable of forming an idea ; it has been urged that because women are capable of bearing children earlier in life in India, they must be held to become responsible at an earlier period ; but though it is the practice of the country to make them wives and mothers as soon as possible, and this may prove some precocity of physical developments, their intellectual development has no such advantage ; on the contrary, no means are used to develop their minds, and nothing can exceed their ignorance ; no one teaches them any thing, and they are shut up from the world, where observation and experience might supply the place of instruction.

152. **WOMEN SHOULD BE CLASSIFIED.**—But if women and children are to be imprisoned for life, it is desirable that some employment should be found for them ; at present this is much neglected ; the women are scarcely ever taught any trade ; they are employed in some Jails in pounding brick-dust for mortar or in making thread ; but usually they are left without any occupation, and certainly the same attention is not given to them, as to the men ; moreover, from their small number, they are generally thrown into one single ward ; the murderess with the petty theft, or the offender of a more venial character ; there is certainly a difficulty in providing for this ; but some classification should be made with reference to the nature of the crime.

153. **MEN TO BE SEPARATED INTO GANGS WITH REFERENCE TO THEIR OFFENCES AND TERM.**—The same principle might be applied to the men ; all persons sentenced to hard labor should be treated in the same uniform manner ; but this would not prevent their being separated into gangs and wards with reference to the nature of their crime, and the known character of the individual.

154. **EXPENSE OF CONVICTS.**—I annex a statement showing the average expense of each convict to the Government in each Jail of the district I have visited ; in Zillahs Nuddeah and Maldah the expense of

Establishment for custody of the convicts has been omitted by mistake; but the annual average varies from 37 to 43: this is upwards of rupees 3 a month at the lowest computation; my own impression is that the expense might, by a systematic arrangement, be lowered considerably, but it must be done by some one who has studied the subject, and has seen the system in use in the English and other Jails; the only person I met with in the course of my tour who had given his mind to such inquiries was Mr. T. Loch, then in charge of the duty of estimating the value of the lands taken for the rail; from him I obtained much information.

155. RATIONS.—The nature of the rations furnished to the convicts is noted in the statement as far as I could get the information; in no instance was there any deficiency either of food or of clothing: special remarks have been made in my local reports.

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JAILS.	Average yearly number of Convicts during 5 years, from 1848 to 1852.	Average annual expense.	Average expense of each Convict to Government.	Description of Convicts.	NATURE OF RATIONS.												REMARKS.
					Rice.	Dhall.	Vegetable.	Ghee or oil.	Salt.	Spices.	Fish.	Meat.	Tamarind.	Turnerick.	Fire-wood.	Leaves.	
					Chts.	Chts.	Chts.	Chts.	Chts.	Chts.	Chts.	Chts.	Chts.	Chts.	Seers.	Nos.	
Beerbhoom,.....	391	16031	41	{ Laboring, ..... Non-laboring, .. 1st class sick, .. 2nd class sick, ..           }	12	3*	2	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	2*	0	0	0	1	0	* Given on alternate days.
					0	0	0	0	0	0	0	0	0	0	0	0	
					0	0	0	0	0	0	0	0	0	0	0	0	
					0	0	0	0	0	0	0	0	0	0	0	0	
Purneah, .....	467	17606	37	{ Laboring, ..... Non-laboring, .. 1st class sick, .. 2nd class sick, ..           }	12	3*	2	$\frac{1}{4}$ †	$\frac{1}{4}$	$\frac{1}{4}$	2† or 2†	0	0	0	1	0	* On alternate days.
					11	3	1	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	0	0	0	0	1	0	† Ghee.
					0	0	0	0	0	0	0	0	0	0	0	0	
					0	0	0	0	0	0	0	0	0	0	0	0	
Maldah, .....	156	4534	29 <sup>b</sup>	{ Laboring, ..... Non-laboring, .. 1st class sick, .. 2nd class sick, ..           }	12	3*	2	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	2*	0	0	0	$1\frac{1}{4}$	0	* On alternate days.
					11	3	1	$\frac{1}{4}$	$\frac{1}{4}$	$\frac{1}{4}$	0	0	0	0	$1\frac{1}{2}$	0	<sup>b</sup> Exclusive of establishment.
					0	0	0	0	0	0	0	0	0	0	0	0	
					0	0	0	0	0	0	0	0	0	0	0	0	
Dinajepore,.....	570	24584	43	{ Laboring, ..... Non-laboring, .. 1st class sick, .. 2nd class sick, ..           }	13	2*	2	$1\frac{1}{2}$	$1\frac{1}{2}$	$1\frac{1}{4}$	2* or 3†	0	0	0	$1\frac{1}{4}$	0	* On alternate days.
					0	0	0	0	0	0	0	0	0	0	0	0	† Beef for Mussulman convicts.
					0	0	0	0	0	0	0	0	0	0	0	0	
					0	0	0	0	0	0	0	0	0	0	0	0	

156. PUBLIC WORKS AND BUILDINGS.—The public buildings in the stations of the interior of Bengal consist of a Jail and offices for the Judge and Collector; I have remarked on the state of each

PUBLIC OFFICES. in my local reports, and it only remains to observe generally that the public offices should invariably be built for the purpose for which they are intended; old dwelling houses which can be got cheap are not adapted for the purpose and should never be taken; the inconvenience to the people and to the establishment, and the injury to records, arising from the use of such offices, are such as to render them both expensive and objectionable; the rent of public offices by the Government, seems to me an absolute waste; it must always be more economical to lay out any sufficient sum on the construction of a building, the property of Government.

157. COURT ROOMS OF NATIVE OFFICERS UNFIT.—The buildings or rather rooms allowed for the Principal Sudder Ameens, Sudder Ameens and Moonsiffs, as well as to the Deputy Collectors and to the Law Officers, Hindoo and Mussulman, when employed in the administration of justice, should invariably be such as to accommodate them and their officers, as well as the parties and witnesses before them without crowding, and with some degree of orderly arrangement; several of the rooms I have seen assigned for this purpose are so bad, so small, and so totally unfit, that I should much prefer the shelter of a good tree for the purpose.

158. JAILS.—On the Jails I have already remarked.

159. ROADS.—The public works of the most importance are the Roads, Ferries and their accompaniments; in fact the whole system of communication between one place and another; the local interests in this matter have been already discussed in reporting on each Zillah: the most important roads have been pointed out, and the means by which material can be had to put them in order and keep them so.

160. FUNDS FOR ROAD-MAKING REQUIRED.—But roads can neither be made nor kept up without funds; and it is idle to discuss where and how they shall be made, unless the funds can be at the same time pointed out, available for the purpose.

161. PROPOSAL TO ASSIGN ONE PER CENT ON THE LAND REVENUE.—In the perpetual settlement of some parts of the Behar Province, Shahabad and Behar Proper as well as other Zillahs, a remission of one per cent,

was made on the revenue, for the purpose of enabling the Zemindars to keep up the roads: when I was in Behar I attempted to enforce the responsibility incurred by the Zemindars under the terms of their original Zemindaree leases, which contained an express stipulation to this effect; but my proceedings, for what reason I have not learned, were held illegal and were stopped.

162. But the amount of this allowance is sufficient to show what was the sum considered at that time not more than sufficient to enable the Zemindars to keep up the communications; the average income of land revenue for a Bengal Zillah, is about 12 lacks; one per cent on this jumma would be Rupees 12,000 a year; if the main roads which I have pointed out were to be placed and kept in order by the Government, I do not think this amount would be more than requisite; certainly not if the public buildings and other works for the benefit and use of the State and the people were included in the expenditure.

163. ALL POST ROADS TO BE KEPT UP BY THE GOVERNMENT.—The main communication on which the Government post runs, ought invariably to be kept up by the Government and to be metalled, in order to allow of the use of carriages, both for the post and for private travelling; the rate of the letter post might, by the use of ekkahs, be increased from three or four to six or eight miles an hour: in fact doubled.

164. I believe that no allowance was made to the Zemindars of Bengal at the time of the decennial settlement similar to that which I have described in Behar: and if the Government should expend one per cent on the roads, it would be no more than was required elsewhere by the Government of the Zemindars; but it should only be applied to the high roads, not to the cross roads; and for a fair criterion which shall be considered a high road, I know of none better than the fact that the Government post travels on it.

165. FERRIES ON HIGH ROADS SHOULD BE GOVERNMENT FERRIES.—On all lines of high roads, the ferries over rivers, should be declared Government ferries, and careful inquiry should be made whether the present appropriation by private persons is or is not illegal; if legal, the ferries should be purchased of them and declared Government ferries; for the valuation the late enactment for valuing land, &c., required for railway purposes, would be applicable.

166. TOLLS.—If tolls be laid on such roads, they must generally be levied at the ferries; in an open unenclosed country like Bengal, it

would otherwise be practicable to evade the toll by carrying the carts, &c. over the fields during the dry weather, but I see no reason why

NOTE.—No produce should pay toll for passing between the fields and the homestead.

the tolls should not be established; it would be necessary to be extremely careful to keep them very low in the first instance; such charges ought be laid on the consumers of the goods in an addition to the price; but even were such an addition made, the carriers would not the less endeavour to evade the toll and increase their profit.

167. **CROSS ROADS TO BE KEPT UP BY THE ZEMINDARS.**—The cross roads on which the Government post does not travel, but which it is important to keep in a passable state for purposes of traffic and internal communication, should be kept up by the Zemindars; they would be the great gainers by the improvement of the communications, and the expense should fall on them, such roads need not be metalled.

168. **HOW TO BE PAID FOR.**—The expense of keeping up such roads should be carefully estimated, and the amount, without reference to the locality of the estates, or direction of the roads, should be levied ratably on the Zemindars in proportion to the amount jumma of each estate: to diminish the expense and in some measure to defray it, tolls might be established on these roads, when in good order; the amount realized to be ratably payable to the Zemindars who have contributed to the construction of the roads.

169. **RESULT EXPECTED.**—I believe that when the railway is once commenced, this system of keeping up the public roads would answer well; it is obviously useless to have a railway unless good roads are constructed to feed it: without this a rail could not under any circumstances pay.

170. In suggesting that all roads by which the Government post travels be considered high roads, I would not be understood to mean that the object of keeping them up is to be only the transmission of the post; they should of course be fitted for the conveyance of all kinds of traffic: in fact it is by these roads that the main traffic of the country should be carried on; but the Government post should run by the most direct line from one Sudder Station to another, and to the Presidency Town: the road by which it travels is therefore the most useful and important; and should therefore be in the hands of the Government.

171. **FERRY FUND COMMITTEES.**—I doubt whether the system of Ferry Fund Committees has been found to answer; but the reason has

been that there is no Executive Officer to carry out their plans: the Executive Officer should be bound to act under their orders as regards the Roads under their management, not in respect of detail, but simply as regards the amount to be laid out on each road, and when this system

might be kept up under the new arrangement I

THEIR DEFECTS.

have suggested: but if the roads are actually placed on such an efficient footing, a competent Executive Officer, an Engineer, if possible, should be attached to each Zillah: not one to several; for the work would be sufficient in one Zillah to give him full employment; the works at all events should be directed by an Engineer Officer even if the Executive Officer be not an Engineer.

172. LINES OF ROAD TO BE KEPT UP BY GOVERNMENT.—The following lines of communication would, under the system I have advised, be kept up for the use of the Government post.

173. The Railway, guaranteed by the Government, would carry the post

	<i>Miles.</i>
From Calcutta to Hooghly,.....	26
„ Hooghly to Burdwan, .....	49
„ Burdwan to Gonatea,.....	45
„ Gonatea to Rajmehal, .....	78
„ Rajmehal to Pointy, .....	32.
Total,.....	230

174. The post roads from Rail stations will run

	<i>Miles.</i>
From Hooghly to Kishnagurh, .....	42
„ Burdwan to Bancoorah,.....	56
„ Gonatea to Seory,.....	9
„ Rajmehal to Maldah, .....	24
„ Maldah to Dinajpore, .....	68
„ Pointy to Purneah,.....	36
„ Purneah to Titalyah,.....	82
„ Titalyah to Darjeeling, .....	62
Total,.....	379

175. The post roads from station to station not touching the Rail would run

	<i>Miles.</i>
From Kishnagurh to Jellinghee, .....	40
„ Kishnagurh to Berhampore, .....	56
„ Berhampore to Dinajpore, .....	132
„ Berhampore to Maldah, .....	68
„ Dinajpore to Purneah, .....	75
„ Dinajpore to Titallyah, .....	72
	<hr/>
<b>Total, .....</b>	<b>443</b>

176. The Rail being providing by the Funds of private individuals, there would be  $371 + 443 = 814$  miles of good post road to be kept up by the Government, fit for wheel carriages to pass over throughout the year and therefore metalled; no unmetalled road can be fit for this purpose during the rains: the Government would have to make and to keep up for the districts which have come within my official tour of inspection 814 miles of metalled road.

177. INCOME FROM ONE PER CENT ON LAND REVENUE.—Of these same districts, the average net income from Land Revenue to the Government, after deducting expenses, is Rupees 1,19,29,762, on this sum one per cent would amount to Rupees 1,19,297, this would be nearly enough at the usual estimate for keeping up the roads when once made; but the funds for constructing the roads must be found elsewhere; it is to be recollected that the earth work of almost all the roads I have mentioned as Government post roads is ready made; the metalling would remain to be done; for which purpose the basalt Mountains of Rajmehal, abutting on the River Ganges, are available; as well as the kunkur soil to be found within a mile or two West of the Ganges and Bhagirutty from Rajmehal downwards.

178. USE OF THE ROADS.—When I say that these roads are necessary for the conveyance of the Government, I mention but a part of their importance; they are absolutely necessary for the conveyance of the traffic of the country, and to enable the produce of one portion of Bengal to supply the wants of other portions; they are absolutely necessary for the speedy and safe conveyance of troops; they are necessary to connect one part of Bengal with another and to consolidate and combine the various districts of which it is composed.

179. **WHY THEY CANNOT BE MADE BY PRIVATE COMPANIES.**—It may be said that these works should be effected by private funds, not by the Government; no doubt the parties interested in the Railway are interested in the roads which are to feed that rail; but their income from the capital subscribed is guaranteed; they are not forced to encounter more expense; and farther, the Government as the great landlord, holding a larger interest in every acre of Bengal than any other body of persons, except the peasantry, is equally interested in opening outlets for the export and interchange of the produce of the country; it would still be optional to seek remuneration by means of tolls.

180. I have made my calculation on the districts within my tour, but it is obvious that a calculation for the whole of Bengal would be more favorable; and I have no doubt that the expense of keeping up metalled roads throughout Bengal for the conveyance of the public post by wheel carriages might be defrayed by a charge of one per cent on the land revenue of the country.

181. **PRACTICE IN THE AGRA PRESIDENCY.**—I believe that in the North-Western Provinces this allowance is made; it is certainly not more than is required: and unless the roads are made and kept up by the Government, there is no hope of their being made or kept up at all; but they should be kept in a state of complete repair throughout the year, for a single check from a broken bridge is sufficient to render the whole line of road useless, and to weaken the confidence of speculators in the means of communication; it will not therefore answer to wait till the road is impassable before thinking of making the repairs, and then to send estimates to the Military Board, to remain there for years before orders are passed on them: the road must be carefully watched, and defects supplied at once, and prevented by precautionary measures; delay in repairing is most uneconomical.

182. **EMBANKMENTS.**—On the subject of embankments I have reported specially as regards districts where such works are kept up to any great extent; great doubts have been expressed as to the utility of such works; and if their object be to confine the rivers of Bengal in one fixed course, it is undeniable that they have failed; the great Rivers Ganges, Coosy, Teestah, Jenai, Damoodah, Bhagirutty, Mahanuddee, have without an exception oscillated in their course over a place of many miles; some change and return to their old beds, but it is a well established fact that the rivers which run towards the Ganges from the North have gradually

moved their beds permanently to the Eastward: showing distinctly that a change has taken place in the level of the country; I do not think it possible to prevent such movements, either permanent or temporary by the means of embankments; the periodical change in the course of streams arises from the erosion of their natural banks, from whatever cause that may be effected; it seems to me clear that the erection of embankments upon the natural banks cannot prevent such erosion: it can only prevent the river from overflowing the natural banks: by preventing the freshes from rising above the level of the banks; this may be effected where the soil is such as can be applied to the purpose of embanking: mere sand is obviously useless for the purpose; the substratum in a great part of Bengal is mere sand, and where this occurs, embankments are not to be depended on for the protection of the country.

183. NAVIGATION OF THE RIVER BHAGIRUTTY.—The ineffectual attempts which have been made to keep open the navigation of the Bhagirutty show that there is some general cause for the gradual drying up of that river, which is beyond human control; this has been the case as far as history furnishes us with data, in all alluvial deltas; and there is every reason to believe that the delta of the Ganges is no exception to the general rule; I have suggested that the road from Kishnagurh to Jellinghee be metalled and be made available, so as to supply a channel of communication whenever the river is blocked up, a matter of annual occurrence at present.

184. EMBANKMENT OF THE DAMOODAH RIVER.—In my report on the embankments of the River Damoodah in Zillah Burdwan, I brought to the special notice of the Government the bund over the Kana Nuddee, a branch of the Damoodah, which had been constructed by the Engineers with a view to confine the Damoodah within the right branch of the river: large sums of money were expended on this bund, to the great injury of the villages upon which the waters were thrown by the work; I expressed then my conviction that the bund would not stand, though every means of strengthening it had been resorted to.

185. THE WORKS HAVE GIVEN WAY.—I have since learned that my expectation has been realized and that the bund has given way precisely at the spot where I expected it would break; and the work has proved useless.

I believe this bund and all such works, the object of which is to control the course of the streams of Bengal, are useless: it is like attempting to make ropes

EXTENT TO WHICH EMBANKMENTS ARE USEFUL.

with sand, until some means are found of rendering the sand coherent, the task is impossible; the movements of these rivers are beyond control, but great good may be done, and much may be gained by preventing the overflow of the banks at the periodical rise of the river; and thus rendering it a matter of certainty, how long and to what extent the adjoining lands will be submerged.

186. COLONEL GOODWYN'S PROPOSAL.—The proposal of Colonel Goodwyn of expending about 12 lacs on the construction of certain cross bunds, and a ridge between the Rivers Damoodah and Roopnarain, appears to me to hold out a very remote and uncertain prospect of advantage; and I have the less confidence in it, now that the embankment over the Kanah River which is part of his plan has failed.

187. EDUCATION, THE EXPENSE MUST FALL ON THE GOVERNMENT AT PRESENT.—Education in Bengal is much needed, and much has been done during the last 10 years towards the attainment of the object of placing within the reach of the people the means of fitting themselves for public employment; it is not only desirable but absolutely necessary that the Government should supply the means, if it is intended to employ them; for without the assistance of the State, in fact unless the State takes on itself the main expense and trouble, there will be no English Schools or Colleges, and there will be no supply of efficient or capable men for the public service.

188. EMPLOYMENT IN PUBLIC OFFICES IS THE PRIZE CONTENDED FOR.—Undoubtedly the means of education ought to reach beyond that small circle of Natives, who can hope to be employed by the Government, and it is to be hoped that they will; but employment in the public service being the chief prizes for which educated men will contend, it is not only those who gain the prizes who will benefit; those who have been educated in the hope of obtaining them, have still derived much advantage; and further the standard of respectability in regard to education and information will be generally raised throughout the country; and the Government will derive advantage from this national improvement, and the general advance of knowledge among its subjects.

189. COLLEGE REQUIRED AT DINAGEPORE.—I have already brought to the notice of the Government that a College is greatly required at Dinagepore for the education of the people, North of the Ganges, who have a great objection to leaving their own part of the country; the want of information and the backwardness of the people

in the districts of Rungpore, Purneah and Dinagepore, when compared with those of Southern Bengal is observable in every sphere of life; and it is usually necessary to draw the public officers from the South; the best of course being reluctant to leave their own country.

190. **LAW CLASS REQUIRED AT ALL GOVERNMENT COLLEGES.**—At all Government Colleges for the instruction of Natives, there should be a Law Class, for the express purpose of preparing students for the offices of Moonsiff and Pleader; Marshman's Civil Guide and Macpherson's Principles of Civil Procedure, being made class books; some of the best English works on the principles of jurisprudence, should also be adopted for the same purpose; and the College examination be such as to save the Judges of the Sudder Court, and other functionaries, the time which is now taken up with attending the Annual Examinations at the Calcutta Town Hall and elsewhere.

191. **THE COLLEGE EDUCATION SHOULD BE OF A PRACTICAL NATURE.**—With a knowledge of the principles of Justice and Law thus acquired, and two or three years' practice at the Bar, or in some other subordinate Government Office, a candidate for the office of Moonsiff might be considered qualified without further inquiries into his educational acquirements; all that it would be necessary for the Government to do, would be to ascertain through the offices most likely to be well informed on the subject, who among the candidates, holds the best character, as an upright and conscientious man, and as to natural abilities, industry and talent. I am by no means satisfied that the periodical examinations alone are good criterions of fitness for the Bench; but the kind of fitness which admits of test by public examination, may be as well ascertained by a College examination and conferring a degree by College Professors, as by a conclave of Judges and Commissioners, better indeed, for such matters are more in the way of Professors, than of those engaged in practice, and in the discharge of functions of an official nature under Government; the same may be said of the knowledge of language; whether the examination be oral or written, it might be better done by professional men than by others; many of the present examiners are unfit for conducting the examination as to proficiency in language; and it is in the main left to the Native examiners; it is true that College Professors have a predilection for pedantic knowledge, and usually give the preference to such attainments; but there is no reason why this practice should be allowed to prevail in our Colleges, and both the tests and Professors, might be so chosen and so ordered, that the knowledge which forms the criterion of

excellence should be of an useful and practical nature, not abstruse and theoretical; I believe it is the impression, that College examinations have such a learning as I have described, which has led to the examination being held by the Government functionaries; but it would be better to correct the evil than to get out of its way; it would be better to insist on the examinations at the Colleges being made precisely what is required, than to seek for examiners elsewhere, among persons whose minds have been applied to other pursuits, and whose time may be better employed.

192. **HIGH CHARACTER OF THE NATIVE JUDGES.**—I have much pleasure in bearing testimony to the high character which is generally borne by the Native Judicial Officers throughout the districts in which my official tour has been made; as well as to the general ability and information which they appear to possess: most of them have been educated at the Government Schools or Colleges; and I have no doubt that these places of education have been instrumental in producing not only more highly educated men than were before available for the public service, but in establishing a better feeling among the educated portion of the Native community as regards honesty and uprightness of character.

193. **FUTURE IMPROVEMENTS.**—For the improvement of the national character, and the removal of its defects, we must look to the gradual abolition of the system of castes, and the opening of all employments to the competition of all classes, high and low; whether it will ever be possible to render Natives of Bengal fit to exercise the profession of arms may be uncertain; but for all scientific and practical occupations requiring only sagacity and application, there is no reason why they should not compete with the rest of the world; it is true that a want of firmness and courage is a defect in every sphere of life, and even in a career of roguery and cheating, for which the Bengalee's character has been supposed well adapted, he has no chance of success when opposed to an English rogue; this defect, I fear, does not admit of removal; but there are many occupations in which personal courage is seldom requisite, and in these the Natives of Bengal are fully capable of achieving distinction.

194. **THE CIVIL SERVICE IS OPEN TO BENGALLEES.**—Now that the appointments to the Bengal Civil Service are to be made open to public competition, I know of nothing to prevent a Native of Bengal from competing with the rest for the highest Civil distinction.

195. **A GENERAL SYSTEM OF EXAMINATION NECESSARY.**—But it is not only for the Native servants of the Government that a provision is

required to secure efficiency in the performance of their duty: the whole Civil Service should be subjected to a similar test; their examination should be of a practical nature, though there is no reason why it should not be held by Professors instead of by persons in active employment.

196. The examination in **England** will be of the usual nature of a College degree, though **probably** the studies will be in some measure connected with **Indian** institutions: whatever farther examination be held **in India** to ensure a thorough knowledge of the languages, and the ability to speak and write them readily, and of the practice of the Courts, and the system of revenue, might take place at the Collegiate institutions and with the help of College Professors, this of course supposes that the Collegiate institutions of **India** are complete and sufficiently numerous to allow of the plan being adopted.

197. **SOME MEN IN THE CIVIL SERVICE ARE NOT FIT FOR HIGH EMPLOYMENT.**—It has always appeared to me that the great difficulty in obtaining fit men in **India** for the various departments of the Service, arises in some measure from the necessity of providing for those Members of the Civil Service, who are scarcely fit to hold any but subordinate offices; it is, I admit, not easy, if possible to tell before trial what kind of Police, Judicial or Revenue Officer a man will make; but it is possible to tell in extreme cases that a man will not be fit for certain employment, and after having been tried and tested, in one or two subordinate offices, the natural bent of a man's mind, and his capacity for public business, becomes pretty well known; and yet it is far from uncommon to find men who have thus shown themselves unadapted for a peculiar department, still occupying office in the same department, notwithstanding their known incapacity.

198. In the Police Department especially this defect is felt, and no doubt arises from the difficulty of discovering how to dispose of such men: it seems to me that this is carried too far and to the detriment of the public service; the Police requires in its establishment from the head to the lowest grade, a certain degree of activity and energy of mind and body; the want of this quality is easily detected, and no one who is destitute of it should be allowed to hold a responsible office in the department.

199. I would apply the same principle to the Judicial Department throughout, both Native and European; there are many who can pass examination and yet in practice, show themselves incapable of conducting judicial proceedings in a clear and satisfactory manner; such men I would either pass over, or employ only in subordinate offices; but

incapacity in this department is more rare than the in the Police ; promptness and sagacity are more uncommon than a fair ability to form a deliberate and clear judgment.

200. THE COLLEGES SHOULD NOT BE ALLOWED TO TEACH PEDANTRY.—It will require great care and attention in the management of the Indian educational establishments to prevent the course of instruction from falling into a system of abstract and pedantic learning ; the Collegiate institutions in England have notoriously this defect ; and though it may be admitted that the great object of teaching is to get the mind of the student into the habit of exertion and thus strengthen it for application to any subject on which it is required to be employed, it is certainly desirable that he should be taught at the same time what is useful and practical, and that the powers of his mind be not subjected to the treadmill of more exertion, without an object, and without interest ; the studies and books as well as the examination should be guided by the principle of practical utility ; and the intellect of the student will acquire its full strength and vigour in following such pursuits, as well as in the mere labor of overcoming difficulties without an object.

201. COLLEGES SHOULD BE VISITED PERIODICALLY.—In the department of education as in all others, the Colleges and Schools should be subjected to continual scrutiny of personal visits by those who have the charge of superintendence ; the heads of departments should attend the annual examination and should inquire into the system of management, and the course of study, and should enforce strictly the principle I have laid down ; the introduction of athletic games among the students, would lead very greatly to the improvement of their character ; it is one of the chief defects in the habits of the Natives of Bengal that they are averse for physical exertion ; and if the practice of athletic games were encouraged at our places of education, and those who excel in such pursuits were considered to have achieved something worthy of praise, a feeling of emulation would be excited, and this might be turned to good account in the result ; physical development is too much neglected at present ; and without some attention to it, a boy will not acquire either the moral or physical capacity of undergoing the labor and discipline, necessary for the attainment of learning or distinction in life.

WELBY JACKSON,

*Judge of Sudder Court, on Deputation.*

*Calcutta, October 1853.*

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# REPORT

ON THE

## DISTRICT OF SINGBHOOM,

BY  
H. RICKETTS, ESQ., C. S.,  
MEMBER OF THE BOARD OF REVENUE.

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**GENERAL.**—This District became a separate charge in 1837. Up to that time the Colehan had been subject to the Chiefs of Singbhoom and Mohurbunge, but it being found that the Chiefs were unable to control the Coles, though some made use of them to injure their neighbours, it was determined to bring all the Cole Peers, or Pergunnahs, under the direct management of the British Government, and for that purpose a Principal Assistant was established at Chyebassa in the Colehan.

4 Peers of Mohurbunge.

16\* Ditto of Singbhoom.

4 Ditto of Seraikela.

1 Ditto of the Thakoor of Kursawa, in all 25 divisions known by different names, were consigned to the Assistant to the Governor General's Agent placed over the new District.

2. In 1838, the Chiefs of Singbhoom were directed to send all cases of murder, and in 1842 all heinous cases, to the Assistant at Chyebassa, and in 1846 Dhulbhoom, which, previous to the enactment of Regulation XIII. of 1833, formed part of the Midnapore District, and was then transferred to Purulia or Maunbhoom, was placed under the Assistant stationed at Chyebassa.

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\* Including one village held by the Zemindar of Sarunda and one village held by Baboo Ahman Singh.

3. Thus the District at present comprises the Cole Peers, Singbhoom divided into three Mehals, known as

Singbhoom or Porahat.

Seraikela.

Kursawa and Dhulbhoom.

The population of the three divisions is as follows:

	MALES.	FEMALES.	TOTAL.
Colehan,.....	37,690	35,815	73,595
Singbhoom, .....	45,097	43,292	88,389
Dhulbhoom, .....	29,161	29,071	58,232
Total, .....	1,11,948	1,08,178	2,20,126

4. As the management is different in each of the three Divisions, it will be necessary to speak separately of each; and, first of the Colehan.

COLEHAN.—The system introduced by the Governor General's Agent, Major T. Wilkinson, as described in his letter to the first Assistant, dated 13th May 1837, has been but little changed.

5. A Mankee was placed over from 5 to 15 villages. He was chosen

On a Mankee dying, his heir has been allowed to succeed. Even if the heir was a minor, a *locum tenens* has been placed in charge till the minor attained his majority. If a Mankee is dismissed for any fault the heir does not succeed. Another Mankee is appointed with the approval of the Moondas. I have enlarged on this subject in para. 17.

chiefly owing to the influence he was supposed to possess, and with the general consent of the inhabitants; where the charge was extensive the Mankee was allowed to choose certain Moondas (village headmen) or ryots to help him as assistant Mankees.

6. The Mankees, assisted by the Moondas, were to apprehend all thieves, plunderers and criminal offenders, and forward them to the Assistant.

7. In any case of dispute between an inhabitant of the Colehan and an inhabitant of either of the neighbouring\* Mehals, whether of a civil or

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\* Mohurbunge, Keongur; Porahat or Singbhoom; Seraikela; Kursawa.

criminal nature, the party aggrieved, was to lodge his complaint before the Assistant at Chyebassa, and if the complaint was on the part of a Cole against an inhabitant of one of the neighbouring Mehals, the accused was to be sent for through the Chief of such Mehal.

8. All cases connected with caste were to be referred to a Punchayet.

9. In cases connected with land 12 years' possession was to be regarded as a title, but exceptions were to be allowed, and in all civil cases Punchayet was to be had recourse to as much as possible.

10. The Revenue demand was fixed at 8 annas per plough. The number of plough to be ascertained from the Mankees. The land cultivated by non-resident cultivators was to be assessed at 8 annas for each five khandees\* of seed sown. The rent was to be collected by Moondas, and paid by them either direct or through the Mankees.

11. The Mankees and Moondas were each to be allowed a portion of the rent as remuneration for their trouble in collecting the rents and attending to the Police; from one-sixth to one-eighth was considered suitable.

*As since adjusted.*

The Moonda's allowance is 2 8 per Rupee.  
" The Mankee's ditto 1 4 ditto.

Total allowance, 3 12

12. By the orders, dated the 6th June 1837, the following rules were approved:

Governor General's Agent to have the powers of the Nizamut Adawlut, but no sentence exceeding 14 years' imprisonment to be carried into execution, until confirmed by the Government.

The Principal Assistants to take cognizance of all crimes and misdemeanors, and to pass sentence of fine of Rupees 50, or two years' imprisonment, subject to revision in appeal by the Agent; such sentences to be immediately carried into execution. Assistants further authorized to pass sentence of five years' imprisonment reporting for the confirmation of the Agent, who will confirm, alter, revise, or order commitment for trial before himself.

Under the rules for the whole Agency passed in 1834 an Assistant can impose a fine of Rupees 200, and though Coles are never fined, it is considered that the Assistant of this Division could impose a fine of Rupees 200.

Under the rules of 1834, an Assistant can pass a sentence of seven years reporting to the Agent for confirmation, and it is considered that the Assistant of this Division can exercise these powers.

The Mankees are authorized to receive and investigate complaints for petty offences and to promote reconciliation, but not authorized to inflict any punishment. Any trivial complaint

\* A khandee is a maund.

preferred to an Assistant, may be referred by him to the Mankee or to a Punchayet as the Assistant may think fit.

If a verbal complaint is preferred the custom now is to take the evidence of complainant. \* Complaints to be written or verbal at the option of complainant.

Accused persons to be apprehended by the Mankee's or Assistant's orders, or merely sent for through the Mankee or the Moonda, or summoned through a Dhobassia\*

Investigation to be held by the Assistant, and depositions to be taken on oath or without oath, as he may think fit,† and to be committed to writing in the Hindoostanee language.

Vexatious or groundless complaints may be punished‡ by fine, not exceeding Rupees 50, or three months' imprisonment.

Notoriously bad characters may be imprisoned, in default of security, for one year.

In all heinous cases the subsistence of indigent prosecutors and witnesses may be charged against the State.

The Agent to exercise the same powers in sanctioning rewards as are vested in Commissioners of Circuit.

Pardon may be offered by Agent to accomplices in heinous offences reporting for the confirmation of Government.

Agent may call for the proceedings of his Assistants in any cases and mitigate or remit punishment.

In practice this rule has been superseded, the Assistant now fines to the extent of Rupees 200, and passes orders of fine to the extent of Rupees 500, subject to the approval of the Agent in his report. No fine exceeding Rupees 50 to be imposed by Assistant unless confirmed by Agent, and no fine exceeding Rupees 500 to be imposed by Agent unless confirmed by the Government.

13. The course of procedure in actual practice is as follows : On any crime being committed in his village, the Moonda informs the Mankee, and either one or the other, or both proceed to Chyebassa to report to the Assistant. The deposition of the party is forthwith taken by the Assistant, and a Chuprassee is deputed to hold an investigation assisted by the Mankee and the Moonda. The Chuprassees are now all Dhobassias. Having made the investigation needful, the Chuprassee returns, bringing with him the complainant, the accused and the witnesses.

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\* Interpreter.

† All depositions are now taken on oath.

‡ This rule has become a dead letter, but the Assistants punish perjury by imprisonment for from three to six months.

The Assistant then records the evidence of all parties, if he considers the evidence insufficient acquits, if sufficient, if the case be murder he commits it for trial to the Agent and sends all the parties to Rainchee; if the crime proved be any thing short of murder, he passes sentence himself, reporting for the confirmation of the Agent, if he awards above three years' imprisonment, or a fine exceeding Rupees 200.

14. If a Moonda or other party reports a trivial case to the Mankee, he may exercise his discretion in reporting it to the Assistant or adjusting it himself. If a trivial case is preferred to the Assistant, he sends for the parties or desires the Mankees to adjust it, as he thinks fit.

15. No written reports are received from Mankees, and no written orders are conveyed to them.

16. In a letter dated 17th March 1851, the Governor General's Agent ruled, that, on the death or dismissal of a Mankee, the individual who exercises the greatest degree of local interest for the best purpose, should be considered as best qualified for the Office, but that when a Mankee, who has discharged the duties of the Office creditably, shall have a son apparently not disqualified to succeed, he is not to be passed over without a fair trial; further, that if a good Mankee should leave no direct heir, but there should be a member of his family generally qualified, a preference should be given to him over others; and further, that such a relative might act for the minor son of a deceased Mankee, till the son attained his majority with the distinct understanding, that the said minor would not succeed unless quite qualified to do so when he might reach mature age, in such cases it was to be a condition that the minor learned to read and write some language during his minority.

17. Under these rules the Office of Mankee becomes hereditary if the heir be not disqualified, though there may be many others better qualified; if not disqualified the heir must succeed, but in the 7th para. of his letter, the Agent says, "it is expedient the Coles should continue to feel that the authorities have unrestricted control in such matters." I would modify the rules so far as to allow the Office to be hereditary only in case of the heir being the person best qualified; should he not be the best qualified, a new Mankee to be elected by the people and approved by the Assistant. Minor Mankees should be regarded as the wards of the Assistant, and, *as a matter of course*, always be brought to the school at Chyebassa, and educated under his eye; an extra allowance of Rupees 5 per mensem, might be given to one of the Dhobassias for the care of minor Mankees residing at Chyebassa.

18. It will be observed how few of the rules, for the management of the Colehan, prepared by Major Wilkinson, have been altered. The best proof of the wisdom which guided his adjustment is, that the Colehan, which up to 1837 had, to use Captain Haughten's words, "been a constant scene of bloodshed and rapine," has enjoyed profound peace ever since. Such has been the effect of his pacification. Though the Agent has visited Chyebassa, but twice within the last 10 years, and on an average there has for the last 13 years, been a change in the head of the Chyebassa Office, once in six months, even thus severely tried, the system he introduced was so suited to the people, and possessed within itself properties so stable, that it has suffered no damage, and is in every respect efficient still.

19. In his report on the District, Captain Haughten lamented the custom of buying wives and selling daughters, as being a steady check to the increase of the population. For some reasons it certainly would be good were the custom abolished, but so long as the Coles continue to be what the Coles are now, any plan which has the effect of preventing an increase of their numbers, is not without advantage. I cannot consider it desirable that there should be more Coles, though I would omit no endeavour to improve the condition, both moral and physical of those who unfortunately hold some of the fairest Pergunnahs of Singbhoom.

20. It is true that, as represented by Captain Haughten, saving the establishment of a Hospital and a School, which from various difficulties and mistakes, have hitherto had little effect, no effectual measures have been taken to improve their condition, but they are so suspicious that, however good a scheme may be in itself, if not carried out with the greatest discretion, it is just as likely to injure them as to advance them. Captain Haughten, in the report from which I have been quoting instances that in the kind country, roads had been opened, which promised to have much effect in civilizing the people, but two years after this was written, because he marked off a road, the inhabitants of several Cole villages deserted their homes and took to the jungles, which is not only a token of fear, but is generally amongst such wild tribes, token of purposed resistance also, and they returned only when the marks had been removed! I think there is an opportunity now of opening fine-weather roads with advantage in the Colehan. It is said the Coles are taking to tusser, if so, they might gladly assist in making fair weather roads for the passage of hackeries to carry off their cacoons. If they do evince an inclination to forward such a plan, a few hundred Rupees timely expended

might have many advantages in allaying apprehensions directing their minds to useful employment, and also in forwarding a most advantageous traffic.

21. **SINGBHOOM.**—The Chiefs of Singbhoom all sprung originally from the same family. Tradition says, that some 12 or 13 generations ago, their ancestor passing through these forests in his way from Joudpore to Juggernaut, the inhabitants persuaded him to remain among them, and made him their Raja. The family increasing and spreading, the country came to be called from them, Singbhoom. It is evident enough that the blood is not the blood of these parts, but must have come from the North-West.

22. Before the English became acquainted with Singbhoom, the original family had been divided into three great branches at Porahat, Seraikela and Kursawa. The Porahat is the elder branch, the occupant of that Guddee is styled Raja, he, of Seraikela, Koour, and he, of Kursawa, Thakoor. No demand of revenue or tribute has ever been made on either of these Chiefs. They have under them numerous Baboos as they are called, sprung from the same race, who in Seraikela and Kursawa, hold the land they possess rent-free. Some years ago the local authorities ruled that the Zemindars of Porahat should pay rent to the Raja, on the ground that the Divisions and Sub-Divisions had left the Raja nearly a pauper. There being no such reason for levying rent on the under-holders in Seraikela and Kursawa, those who are of the same blood, hold as heretofore.

23. It appears that for many years after our first connexion with the Chiefs, no interference of any kind was exercised in the internal management of their territories, but since 1837, when the Cole Peers were taken under the immediate management of a Government Officer located at Chyebassa, they have been considered as subordinate to that Officer, and, though they still hear and decide all civil cases, which arise, in their respective territories, their authority in criminal cases has been regulated by the Agent as detailed under the heading "Criminal Justice."

24. All I saw of Singbhoom except the last 14 miles is open and cultivated; the soil poor. I find in a report of Captain Haughten's, written in 1848, that he estimated one-half of Porahat to be jungle. There is a larger proportion of cultivation in Kursawa, and still larger in Seraikela. The staple produce is Rice.

25. **DHULBHOOM.**—For many years Dhulbhoom was subject to the regulations as a part of the Midnapore District, when transferred to the jurisdiction of the Governor General's Agent on the South-Western Frontier on the enactment of Regulation XIII. of 1833, the man-

agement was to be in conformity with the spirit of the regulations. As a part of the Chyebassa, which is called a Political District the system of management depends on the pleasure of the Agent controlled by the Government.

26. LAND REVENUE COLEHAN.—In the Revenue Department the system actually existing in the Colehan, is as follows. The rate of 8 annas per plough, adjusted by Major Wilkinson, exists still, but in practice it becomes a tax on each pair of bullocks or cows, for each pair of bullocks or cows possessed by a ryot is regarded as one plough. The rule that five maunds of seed sown is to be regarded as a plough with reference to non-resident ryots still exists. At the beginning of each year, the Moondas and Mankees attend and record the number of ploughs possessed by the resident ryots, and the number of khandees of seed sown by the non-residents. All particulars embracing the name of each ryot, and the sum he is to pay, are entered in a book. The representations of the Moondas and Mankees are at once admitted if there is no decrease; if the Assistant sees reason to suppose that an imposition is to be attempted, investigation is occasionally made by means of a Dobassia. Pottahs are given each year to each individual ryot. At the time of collection, a Chuprassee is deputed, desiring Moondas and Mankees to attend to pay their revenue. If this summons is not attended to, a Peada is deputed, and the expense falls on the defaulters; no other process is ever necessary. The collections during the last 16 years have been as follow :

Year.	Amount.			Increase.			Year.	Amount.			Increase.		
1837-38	5,108	1	8	0	0	0	1845-46	6,724	15	9	74	6	8
1838-39	5,633	0	3	524	14	7	1846-47	6,769	1	3	44	1	6
1839-40	6,075	1	7	442	1	4	1847-48	6,807	5	2	38	3	11
1840-41	6,252	14	2	177	12	7	1848-49	6,882	2	3	74	13	1
1841-42	6,409	11	7	156	13	5	1849-50	6,988	4	6	106	2	3
1842-43	6,515	6	9	105	11	2	1850-51	8,088	10	4	1,100	5	10
1843-44	6,613	0	11	97	10	2	1851-52	8,231	4	0	142	9	8
1844-45	6,650	9	1	37	8	2	1852-53	8,523	6	2	292	2	2

27. It will be observed that the revenue has increased gradually from Rupees 5,108-1-8 to Rupees 8,523-6-2, but of late years it has been known to all that the annual attendance of the Mankees and Moondas to give an account of the revenue demandable for the year, was a mere farce, that they reported such an increase as was thought sufficient to prevent inquiry and no more.

28. In 1848, the Principal Assistant, Captain Haughten, brought forward a plan for increasing the Assessment paid by the Coles. He represented it to be but fair that the Coles should pay the expenses attendant on their own Government and Police, and that it was notorious they were under-taxed; at the same time he said that as the jealousy of the ryots prevented measurements to arrive at exact conclusions, was a matter of great difficulty.

29. He submitted a table prepared by himself in which he showed that the rent paid by the Coles, was only one anna four pie per beegah. It is assessed, as I have said, at 8 annas per plough or yoke of oxen, and those who cultivate land out of their own village, are expected to pay 8 annas for as much land as can be sown with five or six maunds of seed according to the nature of the soil. Captain Haughten converted this Assessment into an Assessment per beegah by making inquiries as to the quantity of land held by a person who paid for one plough, and the quantity of land on which five maunds of seed were sown. He ended by proposing that the land of the Coles should be assessed according to its productiveness, that it should be divided into three classes :

“ Bera,” or best land, which having a good supply of water was always productive.

“ Badee,” inferior to “ Bera,” but still in a position to have the water confined.

“ Gora,” land dependant entirely on the rain for a crop, having no embankments to confine the water.

That “ Bera,” or first sort, should pay rupee 1 per plough, or rupees 2-8 per beegah. Badee, or second sort, 12 annas per plough, or 2 annas per beegah. Gora, or third sort, 4 annas per plough or 8 pie per beegah. That the Assessment should be made by the Assistant on a rough survey or inspection of the lands of each village, assisted by a jury of Coles, and as many Ameens as might be necessary to employ to record the result.

30. Captain Haughten estimated that the increase would be about Rupees 6,000 per annum, and recorded his opinion that “if discretion were used, and no undue severity exercised in making or enforcing the

Assessment in the first place, no opposition need be apprehended, that the Coles were tractable and generally ready enough to listen to reason, but that they must be led, not driven."

31. There was no result. It does not appear, that any orders were passed on the merits of the scheme suggested, and the revenue continued to be paid practically according to the pleasure of the Coles.

32. On the 31st December 1850, Lieutenant Davies, Principal Assistant, reported to the Governor General's Agent, that during a tour in the Colehan, having discovered that the concealed cultivation was of great extent, in some villages, as much as half, he had deputed a Mohurrir of his Office to ascertain the quantity in Goomlah Peer, in the immediate vicinity of Chyebassa, and the result was the discovery of 860\* ploughs of concealed lands. The Assistant proposed to continue the inquiries, to levy rent on the concealed lands for two years, and to fine the Mankees and Moondas the percentage to which they would have been entitled, had they reported the increased rent demandable.

33. The Governor General's Agent did not approve these proceedings. He cancelled the orders what had been issued, directing the Mohurrir to continue the investigations, and desired notices to be issued, proclaiming forgiveness of all concerned in concealment, if they filed within one month, revised and correct statements of the number of ploughs liable to Assessment in their respective villages, and declaring that in the event of their persisting in such concealment, the just claims of the Government would be rigorously enforced, and all Mankees, Moondas and ryots, directly or indirectly concerned in the concealment, severely punished.

34. These orders were partly modified by instructions, dated 13th March and 27th July 1851, in which the Governor General's Agent remarked that annual inquiries by the Assistant, were originally contemplated; that such inquiries must be made in future, and that when inaccuracy in the returns made by a Mankee were discovered, the responsibility of the Mankee and Moonda would be called in question, with a result probably unsatisfactory to them. The Agent proceeded to instruct the Assistant in these terms. "With respect to the precise mode in which the accuracy of the returns should be tested, I do not wish to hamper you with needlessly detailed instructions. My inquiries have led me to consider, that the process which need be observed, is a very simple one, and I feel sure that your knowledge of the character of the Coles

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\* At 8 annas per plough capable of paying Rupees 430.

will induce you to carry it into effect in a manner, which while it will prove to them that they cannot disregard or evade any of their obligations to the Government, will tend to excite in their minds neither alarm nor well-grounded dissatisfaction. It seems to me advisable that actual measurements should not ever be resorted to. The quantity of land in the occupation of a cultivator, the number of whose ploughs may be in question, may ordinarily be ascertained with sufficient accuracy by personal inspection and measurement with the eye. In some cases, indeed the mere testimony of the village Guala may satisfy you as to the number of ploughs each cultivator has. These details and others I desire to leave to be dealt with, according to your discretion, which will be the best guide.

35. Again but little resulted; the Mankees and Moondas filed other papers, but again concealed the increased cultivation. In June 1853, the Assistant reported that on the whole he was satisfied, that an Assessment of the new cultivation, could not be made with any approach to truth, simply on the basis of the number of bullocks or ploughs possessed by the cultivators, and that he must trust in the neighbourhood of the frontier chiefly to the statement of the Moondas and Mankees of the number of ploughs engaged in the old cultivation. Under these circumstances, he thought it best to fix the amount of Malgoozarree for the new cultivation by "coot" or estimate of the lands. This was done by the Mankees and Moondas, where the lands in, and out of cultivation, were of sufficient extent; a Moonda was appointed, the village boundaries were fixed by Punchayet on the part of the parties concerned, the ryots were in all practicable cases collected, and almost without exception, expressed themselves satisfied with their Assessment. The result was the Assessment of 47 new Mouzas at a jumma of Rupees 255-2-9.

36. Though the inquiries have been partial, conducted in a very superficial manner, and productive of very inconsiderable results, they have naturally had the effect of making the Coles restless and anxious for some adjustment. A few weeks ago, several of the Mankees and Moondas presented petitions to the Principal Assistant, offering to pay Rupee 1 per plough instead of 8 annas, on condition of a settlement, and they proposed to me to pay Rupee 1 for as much good land as five maunds of seed would sow, and Rupee 1 for as much middling land, as six maunds of seed would sow, provided inquiries were stopped. I inquired from them whether they would agree to these terms, that they should attend with their Moondas and ryots, and entering into engagements to pay Rupee 1 where they now pay 8 annas, receive pottalis for 12 years with an

engagement, that till after the expiration of that period no further inquiries or inquiries of any kind as to the extent of cultivation, or the number of ploughs, should be made in their villages; that the lands of those who rejected these terms should be examined and assessed on such terms as the Assistant considered suitable. Those who were present stated that they believed all, or nearly all would agree to pay Rupee 1, where they now pay 8 annas, provided a lease for 12 years were granted.

37. In order that I might have some idea of the real meaning of the offer to pay Rupee 1 for as much land as five khandees or maunds of grain would sow. I took some of the Coles into the plain, and desired them to walk over the fields and show me for what land one maund of seed grain would suffice. They did so, and I measured it to contain 31,484 square feet. That quantity multiplied by 5 gives 1,59,420 square feet, which is a trifling fraction less than 11 beegahs of land. The offer therefore means that they are willing to pay one anna five pie, and a fraction for a standard beegah of land. The result of Captain Haughten's calculations made in 1848, was that the Assessment of the Colehan was about one anna four pie, so I think it may safely be concluded that the existing Assessment as calculated by the Coles, after their rude and primitive system, is in fact from one anna four pie, to one anna five pie per beegah of 14,400 square feet.

38. On every account it is desirable that the revenue payable by the Coles should be increased if it can be done without causing disturbances. Increased expense must be incurred in providing suitable kutcherry accommodation for the Assistant, and a suitable establishment. As represented by Captain Haughten; it is desirable that increase of the demand should not be longer postponed, lest some should suppose that the 8 annas per plough is never to be enhanced, especially it is desirable to take what the Coles can pay, for they make no reasonable use of any money they may have, they hoard or buy women; their houses, clothes, food are, with very few exceptions, the same as they were 20 years ago; there is not, so those who know them say, the remotest token of improvement in their way of living, and the Police reports show that they are as superstitious and savage as ever.

39. I recommend that if the Mankees and Moondas of a division will agree to pay Rupee 1 where they now pay 8 annas and will bring their ryots and take pottahs, that their offer be received, and, without any investigations, pottahs given to them, engaging that for 12 years no increased demand of any kind shall be made on them, and that it shall no longer be necessary for them to attend once a year to record the extent of

land under cultivation. The Mankees and Moondas shall be considered at liberty to impose the Assessment on each ryot, with reference to the quantity and quality of the land in his possession, if they think fit. In a demi-official letter to the Agent, the late Officiating Principal Assistant, Lieutenant Graham, represented that the Coles themselves were desirous, that the present system under which a man who ploughs bad soil with one plough, has to pay at the same rate as the man who ploughs the best soil with one plough should be superseded, and it is reasonable it should be. One uniform rate may have been suitable when cultivation was rare, and confined to the best spots, but is no longer suitable, now that the wants of the people compel them to cultivate very inferior soils.

40. I think it very necessary in order to the prevention of much litigation, or rather I should say to the prevention of many murders, that although the engagement on the part of Government will be to accept double the existing rent of each village only, not double the rent paid by each individual, previous to the acceptance and confirmation of the terms; the contribution of each individual should be adjusted, either by the Mankees and Moondas among themselves, or by an Officer of the Government.

41. Where the Mankees and Moondas are unwilling to enter into such engagements, or where, though not unwilling themselves, they are unable to effect a settlement among subordinate ryots, I would have inquiries made of the nature proposed by Lieutenant Davies in December 1850, by means of a Native Officer under the directions of the Assistant, and also in some parts by the Assistant in person, with a view to the imposition of increased Assessment. Should any of the Mankees and Moondas agree to pay double the present Assessment on receiving a lease for 12 years, less than double the existing rent, should not be admitted without the best proof that double could not be paid, otherwise no Coles will ever compromise again; and the means of making these investigations immediately must be provided, or those who come to terms without investigation, must not be called upon to pay the increase till the investigations shall have been completed and the Authorities prepared to enforce the increased demand from all.

42. Lieutenant Davies, now Principal Assistant at Chyebassa, is the Officer who in 1850 successfully conducted investigation in several villages and brought 860 new ploughs of land under Assessment, rent for which has been ever since paid. He has had considerable experience in the management of the Coles, and if rent is to be imposed on the new cultivation, it

is very desirable the proceedings should be conducted by him, and that such assistance should be afforded him, as will enable him to complete the whole in a year.

43. In those parts of the Colehan which I passed through, that is, all East and North of Chyebassa, there is no jungle left. To the South and West I understand there is still in parts a good deal of jungle, but the best lands are all cultivated.

44. **DHULBHOOM.**—This large Pergunnah, containing from 900 to 1,000, square miles of country, and 58,232 inhabitants was separated from Midnapore in 1833, and became part of the Maunbhoom or Purulia District under the Governor General's Agent in the South Western Frontier. In 1846, it was transferred from Purulia to the Chyebassa jurisdiction. Though some parts of this Pergunnah are very dry and poor, there are thousands of acres now jungle, which would yield crops of various kinds in the hands of an owner with any enterprize. Assessed in perpetuity at Rupees 4,266-10-8, there has been every inducement to improve, but there is no hope of any attempt to increase its resources, being made by the present Raja, and his son, a youth of 16, affords little promise of better things.

45. The want of roads also is a great impediment to progress of any kind. During the dry season very strong carts can travel with much difficulty from Chyebassa through Dhulbhoom, *viâ* Nursengurh and Baragorah on the Bombay road, to Midnapore, but the difficulties are great. The Subenreika River passes through the Pergunnah from North-West to South-East, but the bed is so rocky, it is in all places dangerous, and a few miles West of Gopeebullubpore there are falls by which the passage of boats is entirely prevented. As the River becomes almost dry during the hot months, in all probability there would be no great difficulty in clearing a passage for boats by means of gunpowder, and should it be determined to metal the Cuttack road, it might be worth while to inquire whether the stones and gravels of Dhulbhoom could not be made use of to advantage. For one Rupee 30 maunds of limestone could be placed by the River side within two days drifting from Rajghat.

46. Small quantities of Sugar, of a very coarse common Cotton, Oil Seeds and Pulse, are produced. Some years ago, the late firm of Messrs. Cockerell and Co., introduced Indigo into the East part of Dhulbhoom, but their system of management was extremely unpopular, so much so, that by all accounts the present generation of ryots must pass away before Indigo shall again be voluntarily admitted into the Pergunnah. It might

be very extensively grown, to the surprize of many it flourishes in the newly-cleared lands of the jungle Pergunnahs of Mindapore, and doubtless it would flourish on land of the same sort in Dhulbhoom.

47. The usual products of the jungle, Dhona, Lac, Tusser and Nuxvomica are exported in considerable quantities, but industry and enterprize appear to be quite unknown to any of the classes.

48. In consequence of what I heard from the Principal Assistant stationed at Chyebassa, and also from several parties in Calcutta, I penetrated to the Copper Mines.

49. Those I visited are situated about eight miles North-West from Kalkapore, in Dhulbhoom, and nine miles North-East from Hessel, in Singbhoom. There are traces of considerable diggings in many places, but of a very old date. The hills are cleared of jungle, and in the woods below the heaps of refuse may still be traced. Though the hills in which the ore is found are far in the woods, there are no real difficulties of any kind; already supplies of the common articles of food may be procured at a short distance, there is a small supply of water near the Mines, and it might easily be increased to any amount by throwing drains across some of the vallies close at hand. A good road to Kalkapore and to Chunderleeka on the Sabenreeka River may be made at but little expense besides cutting the jungle. The Raja of Dhulbhoom is quite ready to give speculators a pottah for the lands on reasonable terms. He would give the hills within a circle to be marked out at a very light rent on perpetuity, he receiving a percentage on the produce. He would readily on these terms afford the farmer his assistance in procuring people. But no assistance of that sort would be required, good wages would soon bring the hardy labourers of Chota Nagpore.

50. I have forwarded specimens from the old Mines, and also from the new vein, discovered not long ago, where the digging has been carried only six or eight feet from the surface. I am not qualified to give an opinion respecting the value of the ore, Captain Haughten says, "From examination of the ore made by myself, it appears that 24 per cent. of pretty good metal might be safely reckoned on from the Jampore ore, which much resemble that of Sandoo. Its chief excellence however lies in the softness of the ore, which allows of its being easily worked, and in its freedom from sulphur, this last quality greatly simplifies the process for the extraction of the metal. All the veins, which appear to be very extensive, require examination, and the ore, careful analysis by a competent person."

51. I think it might be worth the while of the Government to expend a few thousand Rupees in thoroughly testing the produce of these diggings; should they prove remunerative, doubtless capitalists would immediately come forward to take up the speculation. Should the veins prove unproductive, still the small outlay will not ~~have~~ been without advantage if it teaches the people of these parts how to make the most of richer veins. It would be necessary to enter into an engagement with the Raja to give him a portion of any produce, and an assurance that the Government would not continue in occupation for above three years, when he might take up the speculation himself or make an arrangement with others.

52. Though gold is found in the rivers, it does not appear that an attempt has ever been made to endeavour to trace the metal to its bed. As is usual in this part of the world, the rivers rise and run, the first miles of their course through thick forests, which are seldom entered by man, and could not be entered except for a very short period of each year, without great risk, they are so unhealthy. The discovery of a single nugget of any size would soon induce many of all classes to brave any amount of miasma, but at present natives are entirely incredulous of the probable existence of beds, from which the small grains found in the sand of the rivers are washed, and any search is regarded as visionary and absurd.

53. The revenue payable by the Raja of Dhulbhoom is collected by means of notice and attachment. On the Raja falling into arrear, he is served with a notice to pay by a day fixed, should he fail, such a portion of his estate as may be considered sufficient to secure the payment of the balance, is brought under attachment.

There being an arrear to the amount of Rupees 3,319, in July last, four divisions of his zemindarree—

Huldipoker,  
Kalkapore,  
Keeseebunkundee,  
Asunburnee,

were brought under attachment, and a Tehseeldar appointed to collect the rents. They are still attached, and the system pursued is as follows: The zemindarree having been attached in 1844, and part of it again in 1850, papers of these periods have been made over to the Tehseeldar, who compares the contents with the receipts produced by the village Pudhans and ryots. He rejects the papers of 1850, which were filed by the

Raja, and show for the most part, an increased rental of about 50 per cent. His orders are in no case to demand any increased rent. Though the Pudhans and ryots may hold no pottah, and cultivation may have increased to a great extent, no increase on the rent of 1844 is to be demanded from any one. The rents of the attached portions are about as follows :

Huldipoker, ... ..	2,500
Kalkapore, ... ..	700
Keeseebunkundee, ... ..	250
Asunbunnee, ... ..	400
	<hr/>
	3,850
	<hr/>

54. Throughout the attached villages, the rent is a certain sum per plough ; no land measurement has ever been introduced. In Asunbunnee, though previous to the attachment the rate agreed to by the Pudhans, had been 9 annas per plough, and the Raja held engagements from the Pudhans to pay at that rate, under the orders of the Agent, the rate has again been reduced to Rupees 4-8, the ryots having affirmed that they were no parties to the agreements entered into by the Pudhans. It appears to me that collections should be made from the Pudhans, in conformity with their engagements, and that they should be left to settle matters with the ryots, but it has been ruled otherwise, of which the Raja greatly complains. The Assessment per plough is full of inconsistencies. Some assessed at one plough have five or six ploughs ; in some parts double the quantity of land can be worked with one plough, that can be worked in other parts. In some it is calculated, that 12 maunds of seed sown is equal to a plough, in other parts the estimate is 17 maunds. Taking the whole country under attachment, the Tehseeldar estimates that a plough is equal to about 25 beegahs. The rates assumed are Rupees 7-8, 6-12 and 4-8, being an average of Rupees 6-4. If the estimate that a plough is about 25 beegahs be correct, the rate per beegah is 4 annas, and as all, or nearly all actually hold more than they are supposed to hold ; the average rate paid, cannot actually exceed 2 or 3 annas per beegah of cultivation.

55. It appears to me that the Raja of Dhulbhoom certainly has cause for complaint. He is positively prohibited from proceeding against defaulters under Regulation XVII. of 1793 and Regulation V. of 1812, and now, part of his estate having been brought under attachment, collections

are made, without reference to existing circumstances, according to the papers of 1844, and in one division the rates have been reduced one-half, notwithstanding the actual existence of engagements on the part of the Pudhans to pay the enhanced rent. As represented by the Raja, his difficulties must be increased, and his ruin ultimately ensue if the system is continued. The Pudhans and ryots are for the most part very poor. Many are continually changing from place to place; some villages become entirely deserted, while others flourish; of course rent is not to be procured from deserted fields, or from pauper ryots. If the plan is continued of never allowing him to take any advantage, when his ryots flourish, and always regarding it as his loss when his ryots fail, his income must yearly decrease, and he must become a pauper, though his zemindaree may prosper.

56. With such a state of things it is not surprising that the Raja should endeavour to support his fortunes, by resorting to the old custom of "Mangun," or making discretionary demands on those supposed to have the power to pay. This resource soon failed, for complaints of "Mangun" having been demanded and paid, coming before the Principal Assistant at Chyebassa, the Raja's Dewan was on three occasions, fined Rupees 600, and, as I have mentioned, under the head "Civil Suits" he was summoned in person to Chyebassa to explain his conduct with reference to the exactions complained of.

57. I called for these cases from the Office of the Agent to the Governor General, where they have long been pending in appeal. I found irregularities which should not be allowed.

58. Sheikh Alleesooddeen complained against Reazooddeen and others, representing that the Raja of Dhulbhoom had given him a sunnud to trade in his zemindaree in Hides and Horns to the exclusion of any other party, and that the defendants had forcibly removed some skins from his premises. The Raja of Dhulbhoom, without having been heard in his defence, was fined Rupees 50 for giving a person a monopoly of the trade in his zemindaree. Of course the Raja's sunnud was good-for-nothing; he had no authority to give the party such a monopoly, or to prevent others from trading in skins within his zemindaree, but fines inflicted in this sort of way will not prevent such misdoings.

59. Katheo Pudhan and others complained that Rupees 5 "Mangun" had been taken from them and prayed that such exactions might be prohibited in future. Muddun Mohun Dewan was fined Rupees 200. Lokdib Turrafdar, Rupees 100, Rasoo Pudhan, Rupees 50.

60. Mura Luta and others complained that Rupees 4 "Mangan" had been taken from them. The case remained pending for two years, and on the 2nd March last, the Dewan was fined Rupees 200.

61. Radakaunt Mundul and 13 others complained of "Mangun" demands having been made on them. Without any evidence having been taken, the Raja's Dewan was fined Rupees 200.

62. These cases are all pending in appeal before the Governor General's Agent, and ought before this to have been disposed of. The fines having been irregularly imposed without investigation, he will necessarily be obliged, I should say, to set aside the orders. Such irregular and unauthorized exactions ought to be stopped, but it is my belief nothing will stop them, but a settlement and adjustment of the interests of all parties.

The Raja is a person of no principle, and he is surrounded by people, who instead of endeavouring to make him understand that his position is not the same as that of his predecessors, who in former days, as the owners of a jungle zemindaree, were very near beyond the reach of the Authorities, take part in, and profit by his iniquities.

63. He insists upon it that as long as his Pudhans continue to hold their villages without any adjustment of rent, he has a right to make such collections, that they are not new abwabs, but his legitimate dues, according to ancient custom, as is well known to all the inhabitants of the zemindarree. With a large portion of his zemindaree attached for arrears due to the Government, and with these ideas, it is not fines irregularly imposed by the Assistant as Magistrate in cases brought before him in his Revenue capacity, that will introduce a better order of things.

64. As the Authorities have ruled, that the engagement of a Pudhan or village zemindar is nothing worth, if his ryots are not consenting parties, and have actually set aside the Pudhan's engagements, the Raja's only alternative is to go into Court against each individual ryot, to prove the quantity of land he holds, and the rent which may be fairly demanded from it: should no engagements have been at any time interchanged of course the ryot's lands would be assessable at the Pergunnah rate, but though the Authorities have ignored the Pudhan's engagements, it appears to me very doubtful whether they could entertain a suit brought by the Raja against the ryot of a village in the hands of a Pudhan! If I am correct in that supposition, the Raja is debarred of all means of procuring his just rights throughout his zemindaree, while at

this moment a large portion is held under attachment for arrears of Revenue due to the Government.

65. I understand there to be four classes of undertenures in Dhulbhoom, and that nearly all the villages are in the hands of Pudhans of one class or the other, that a very small portion of the land is held hustabood by the Raja. 1st.—Pudhans who hold their villages at fixed rents under leases granted by the Raja, or his ancestors. It is said the rents of some of these villages are not one per cent of the proceeds, but whatever portion it may be, of course no increase can be demanded. 2nd.—Pudhans who hold pottahs for limited periods though the periods have long expired, the Raja would not be allowed to levy more rent than is named in the pottah or to oust the pottahdar without a regular suit in Court. 3rd.—Pudhans who hold their villages on pottahs from the Raja's father or grandfather, dated many years ago, which merely say they are to pay a sum named, and cultivate the village. 4th.—Pudhans who possess without any document of any kind. It is said that the disputes between the Raja and the two classes last named, are interminable, though seldom brought into Court, the Raja continually endeavouring to procure more, the Pudhans perseveringly avoiding any adjustment, and evading payment by all sorts of cunning artifices and evasions.

66. It certainly is time, a more wholesome and stable state of things should be introduced. Here and there cultivation has increased, but thousands of beegahs which might yield crops of various kinds are still jungle and waste. The Raja is willing to agree to any proposal inasmuch as it is nearly impossible, that he should not benefit by a change. I would measure and settle the whole Pergunnah under the provisions of Regulation VII. of 1822, convert the Assessment by ploughs into an Assessment by beegahs, adjust the liabilities of all the village Pudhans, and give them all leases for ten years. The change must be introduced very gradually and with great care. A commencement should be made at once in one of the attached Pergunnahs by measuring the cultivation and imposing an Assessment regulated by what it shall appear on investigation the actual cultivators really pay. I believe it will be found that for the most part the ryots pay for the lands they till; the gains are with the Pudhans, or heads of villages, not in the hands of those who hold the plough. When the jumma to be paid by them shall have been adjusted, the pottah should be countersigned by the Raja or his Dewan.

67. In 1846, when Dr. Chalmers was acting as Principal Assistant, a partial attempt was made to effect an adjustment of the conflicting and

undefined interests in a portion of the estate. A suit having been instituted by the Raja, claiming Rupees 9 per plough according to engagement, the Agent ordered that for the present no more than Rupees 4-8 should be levied, but that the Assistant should institute inquiries and ascertain what the rate ought to be. Upon receiving these orders, Dr. Chalmers appointed 12 Ameens to measure the lands and adjust the jumma; the orders communicated to them were in every respect suitable to the occasion. The work was commenced and some progress had been made, when in July, 1847 Dr. Chalmers, having in the meantime been relieved by Captain Haughten, the last named officer, recalled all the Ameens because there had been no orders from the Agent that the adjustment should be made by such means. The expense incurred was levied from the Raja, and things remained as they were before!

68. Nothing but investigations such as were then commenced can ever bring about an adjustment of the endless differences prevailing in Dhulbhoom, and till they have been adjusted, the Pergunnah will remain what it is. In the absence of all confidence, with all rights undefined and uncertain, there can be no inclination to improve. I told the Raja's Dewan a systematic settlement of the Pergunnah would cost fully Rupees 15,000, and asked if his master was willing to incur such an expenditure; he replied that though such a sum could not be provided at once, if payment by instalments was allowed he would pay that sum willingly for an adjustment.

69. Besides the tenures enumerated in para. 65, I should say there are many Ghatwalee tenures in which the respective interests of the Raja and the Ghatwals are, if possible, still more uncertain than the interests of the Pudhans. I have perused the decrees in a case lately decided by the Deputy Commissioner, in which he reversed the decree of the Assistant at Chyebassa, and awarded 56 villages to a Ghatwal, who had been placed in possession of them by a summary order, because the Raja, who in consequence of the summary order was necessarily Plaintiff, could not prove that his right was superior to the right of the Ghatwal who proved no right at all. I am told that case has been appealed to the Government, if so, I advise that the decree should be quashed, and the case reserved for adjudication in the first place by the Officer to whom the settlement shall be entrusted.

70. If the Raja cannot afford to advance the expenses of the settlement, and seeing that he has allowed a large portion of his estate to be held under attachment for six months for the liquidation of so small a

sum as Rupees 3,319, that is not an improbable contingency, notwithstanding the offer of the Dewan. I would advise the Government to advance the whole of the money on the security of the state rather than the present disgraceful condition of affairs should longer continue.

71. Should the settlement be undertaken on these terms, of course it will be placed in the hands of an efficient Officer under the superintendency of the Principal Assistant, who should be enjoined to visit the Pergunnah for at least one month in each year till the undertaking shall have been completed.

72. To prevent misunderstanding, I beg to say that when I speak of a settlement of Dhulbhoom, I mean a measurement of all cultivation in standard beegahs of 14,400 square feet, a conversion of Assessment by so much a plough, and so much for the quantity of land that can be sown by 12 maunds of seed or by 16 maunds of seed, into an Assessment of so much per standard beegah, and an investigation into and adjustment of the interests of all the Ghatwals and all the Pudhans in the Pergunnah. Where a Ghatwal or a Pudhan shall produce a sunnud or any other document, showing that he has a right to the possession of any village, or any number of villages rent free or at a fixed rent, I would do more than adjust the boundaries of such village or villages, and make no inquiries of any sort as to rents.

73. As I have said, the attachment of a considerable portion of the estate is a very favorable opportunity for commencing proceedings of this nature, and I would without delay, when the necessary funds have been provided, appoint a Superintendent of the settlement on Rupees 100 per mensem, 20 Ameens at Rupees 10 each, with the necessary establishment of measurers. The Superintendent should be a Native, a salary of Rupees 100 will procure the services of an Officer perfectly qualified for the task. Of course it will be incumbent on the Authorities to use every endeavour to effect the completion of the work with the least avoidable delay, and at as little expense as possible.

74. I beg that these proposals, regarding the settlement of Dhulbhoom, may be considered with reference to what I have said under the head "Police."

75. ABKARREE.—The Abkarree of Dhulbhoom has hitherto been under the Superintendent stationed at Purulia, who had charge of Bancoorah, Manbhoom or Purulia, and Dhulbhoom. There is no Abkarree in any other parts of the District except at Chyebassa. In Dhulbhoom there are—

<i>Aggregate daily Tax.</i>					
			Rs.	As.	Pie.
Spirit Shops, .....	82	.....	5	6	6
Gunja Shops, .....	7	.....	0	8	9
<hr/>					
Total, .....	89	Rupees ...	5	15	3
<hr/>					

the tax is collected by means of a Mohurrir and three Chuprasees stationed at Ghatseela.

76. The one Shop at Chyebassa pays about Rupees 325 per annum. The Coles are allowed to distil for themselves untaxed.

77. In conformity with the system now generally introduced, it appears advisable that the Abkarree of Dhulbhoom should be transferred to the Principal Assistant stationed at Chyebassa.

78. CIVIL JUSTICE.—The only Civil Court in this District, in which an Officer of Government presides, is the Court of the Principal Assistant. All cases of all sorts are instituted in his Office. His powers are without limit.

79. In Singbhoom, exclusive of the Colehan, all civil cases are disposed of by the Chiefs, from whose award appeal lies to the Assistant. From his decisions appeal lies to the Governor General's Agent. No stamps are used.

80. It is usual to admit no more pleadings than the plaint and answer, but the Assistant calls for reply and rejoinder of the nature of the case appears to be such as to make further pleadings necessary.

81. The number of cases instituted and disposed of, during the last four years, has been as follows:

1850,	.....	.....	.....	.....	83
1851,	.....	.....	.....	.....	151
1852,	.....	.....	.....	.....	312
1853,	.....	.....	.....	.....	384
					<hr/>
					930
					<hr/>

Pending at the close of 1853, ..... 95

82. The miscellaneous cases in the four years numbered 2,340. The number pending at the end of 1853, was only 30. The civil miscellaneous file includes all cases, which in the Regulation Provinces, would be

instituted before the Collector, and all cases of all sorts in which Coles are concerned. The reason for this arrangement is, that it is considered desirable to dispose summarily of all cases with which Coles are connected.

83. Formerly cases which were considered to come under Act IV. of 1840, were heard by the Assistant as Magistrate, and cases for arrears of revenue under Regulation VII. of 1799, were separately registered as connected with the Revenue Office, but now, as I have said, all cases in the Civil Department are embraced in the two registers of regular and miscellaneous cases; there is no Collector's file.

84. The arrangement appears to me suitable to the constitution of the Office, and I would not alter it. On an examination of the registers and records of cases, I found peculiarities, the necessity for which was not always apparent: instead of a notice in some cases, the first order is, that the Nazir should arrest and bring in the defendant, and when he arrived the order is that his answer should be taken. In some cases the first order is, that notice, proclamation and summons to witnesses should issue all at the same time. It seems very desirable that a few very simple and concise rules of procedure should be drawn up.

85. I found one case entered in the file of the miscellaneous civil cases, in which a mookhtar employed by the Raja of Dhulbhoom in the Offices of the Agent and the Deputy Commissioner, petitioned the Deputy Commissioner, complaining that Rupees 649-9-9 was due to him from the Raja. The Deputy Commissioner sent the petition to the Agent, and the Agent sent it to the Assistant, with orders to levy the sum claimed, which was carried into effect by the Assistant's ordering that if the sum was not paid, so much of the Raja's property as would make good the amount should be attached and sold. This certainly is not acting according to the spirit of the Regulations.

86. In another case, or rather in a set of cases, I found an order which I consider very objectionable. Several suits were instituted against a person holding some villages under the Raja of Dhulbhoom for "Mangun," which the party who paid would translate "extortion," the party who received "a suitable present or offering." It appeared that the Raja of Dhulbhoom having gone into the Mofussil, the under-holder sued made a collection from his ryots for the Raja; this was proved, and the Assistant's order runs thus:—"Nothing can be done with the Raja in this case, as the plaintiff has made no complaint against him, but as I consider it clearly proved, that he ordered the collection of the illegal Abwab, and as this is

by no means the first time such exactions have been proved against him in this Court, I direct that he be summoned to Chyebassa, to give an account of his conduct in this matter."

87. As I shall in another part of this report enter fully into the condition of the zemindaree of Dhulbhoom, and the position of the Raja, I will say no more in this place, than that the order was, in my opinion, improper. Though the whole District under the Chyebassa Office, including Dhulbhoom, is considered by the Governor General's Agent as what is called in these parts a "Political District," though forms may be dispensed with, such irregular proceedings as these cannot be necessary in the disposal of civil suits.

88. An order issued by the late Agent, Mr. Crawford, appears to call for notice in this place. It is as follows:—"As a general rule, I think that in regard to Singbhoom an order of this Office, though of a summary character, should not be open to revision by the Assistant, though his entertaining a more regular suit to contest it, excepting when he may have obtained express permission to do so upon a special report of circumstances, rendering such a course expedient for the ends of justice. The local Assistant will accordingly be furnished with instructions to this effect for his future guidance."

"To prevent the mistakes to which the distinctions noted in the 6th paragraph of your letter might give rise, I shall instruct the local Assistant to designate all his proceedings political, and shall feel obliged by your following the same course in the records of appeals, which may be made over to you for trial from that District."

89. So that an order of the Agent's, however summary, cannot, without the permission of the Agent, be again brought forward for adjudication in any Court. The case of the Dhulbhoom Mookhtar is an instance. Merely on his representation an order is sent to the Assistant to levy Rupees 649-9-9 from the Dhulbhoom Raja, and orders are forthwith issued to attach and sell the Raja's goods in satisfaction of the claim; a suit by the Raja to contest the claim cannot be admitted except by permission of the Agent on a special report from the Assistant. In fact, should the Agent so will it, that order, passed without any investigation whatever, is final, unless the Raja petitions the Government!

90. CRIMINAL JUSTICE.—The only Criminal Court in this district, is the Court of the Principal Assistant, but the Chiefs of Singbhoom, each in his own territory, are vested with authority to dispose of trifling cases.

91. In all serious cases they inquire and forward the parties concerned to the Assistant; all their decisions are open to appeal to the Assistant.

92. From the beginning of 1851 to the end of 1853, 161 persons were brought to trial for dacoity, of whom 108 were convicted, and 48 were brought to trial for highway-robbery, of whom 37 were convicted.

93. During the three years, 1157 persons were apprehended, the average being  $386\frac{1}{3}$ , and 696 were punished, the average being 232.

94. The Assistant cannot say how many witnesses were examined or how long they were detained, but he represents that few witnesses are ever detained above one day, and in rare cases more than three.

95. Though the same Officer has all departments in his hands, this work would not be by any means oppressive, if the Assistant had the aid of a suitable establishment, but the revenue of the district being only Rupees 12,000, the establishments were originally fixed on as low a scale as possible, and they are now quite unable to execute the work of the Office; a considerable increase is indispensable, as represented in another part of this report.

96. I have already mentioned under the head "general" the powers exercised by the Assistant. The system appears admirably suited to the constitution of the Office, and I have no alterations to suggest.

97. The orders of the Most Noble the Governor ruling, that in future murderers shall be hanged, have been made known to the Zemindars and Chiefs of Singbhoon, and whenever the Mankees and Moondas of the Colehan attend, the purport of the orders is carefully interpreted to them. Lieutenant Davies informs me, that there has not been an execution in the Colehan, since the insurrection in 1837. Assuredly there has been much mistaken lenity, and it is high time another system should be tried with the Coles. It has not been unusual to sentence those concerned in the most barbarous murders, to 10 and 12 years' imprisonment only "in consideration of their extreme ignorance and barbarism," but it is my belief, severity may have the effect of lessening the number of murders among these savages, for a perusal of the Police reports for the last three years, shows that many of the murders are not committed in sudden bursts of uncontrollable passion, but deliberately.

98. Such as the case of "Sandoo Moonda" Cole. Two women, widows of relations of Sandoo's, returned to their native village, after the death of their husbands, bringing with them a servant. Trusting to the good nature of Sandoo, who was Moonda of the village, they had commenced tilling a piece of land, his property as Moonda. No quarrel took place,

but Sandoo hearing of their proceedings, armed himself and proceeded to the spot. He found them ploughing. He first fell on the servant, and killed him, he then shot down the two women with arrows and finished them with his axe. He was sentenced to imprisonment for life.

99. Doubtless, in the first year, there will be several executions, and reference being had to the excitable temperament of this people, and to the fact, that there has not been an execution amongst them since the insurrection, and also to the circumstance, that it is contemplated to increase the Assessment, I think it would be well to send 50 more Sepoys for a year or two to Chyebassa, and for the same time to again station there 12 Sowars. The guard was not long ago reduced by 100 men, not because any change had taken place at Chyebassa, but because they were wanted at Sumbulpore; an increase of 50 men will leave 100 disposable after providing for the guards at the Jail and the Treasury.

100. Finding no English correspondence in which the extent of the authority to be exercised by the Chiefs was definitely laid down, I called for the several proceedings connected with the subject in the native languages.

101. A roobukaree of the Agent, dated 23rd August 1838, directs that in conformity with the orders of the Government, dated 17th August 1838, all cases of murder are to be sent for trial to the Principal Assistant. On the 17th January 1842, the Chiefs were directed to report all cases to the Agent and also to the Assistant. On the 16th June 1842 the Agent directed that all serious cases should be referred to the Assistant, and all trifling cases be disposed of by the Chiefs. In practice, murder, dacoity, burglary, cattle-stealing, and procuring abortion, were regarded as serious cases; but there was no systematic classification for the guidance of any body. At this period the Chiefs were allowed to confine prisoners for short periods in Jails of their own. On the 12th June 1848, the Commissioner directed that all persons confined by their orders, should be sent to Chyebassa to be imprisoned there. Though they still have the power of sentencing offenders to short periods, it is scarcely ever exercised, and there is not at this time one person in confinement at Chyebassa, under the orders of a Chief, and the Raja of Porahat habitually sends every case, however trifling it may be, to be disposed of by the Assistant. They are still expected to send in statements of all crimes which may have been committed, but the statements are for the most part blank, or contain merely those cases which have been forwarded for trial.

102. It would be well I think, if a few simple and concise rules defined what cases the Chiefs should send to the Assistant and what they should dispose of themselves, and what punishment they should award in the cases disposed of by them, and I would insist on the Chiefs disposing of all cases within their competence instead of sending them to the Assistant. If unable, or unwilling to perform the duty themselves, I would authorize them to name a Deputy, to be approved by the Assistant, and the records of the cases disposed of should be sent month by month to the Assistant at Chyebassa. With these precautions, I see no reason why the Chiefs should not be allowed to pass sentence of three years' imprisonment, and it should, I think, be intimated to them that if it should appear that crime to any extent is concealed in their estates, either with or without their knowledge, Police Officers will be appointed by the Government. The greater part of Singbhoom is now as free from jungle as Burdwan.

103. POLICE.—There are no Mofussil Police Officers in the District. In the Colehan the Dhobassia Chuprassees, the Mankces and the Moondas, are made use of, for the apprehension of offenders, and for preserving the peace. In Singbhoom the Police is in the hands of the Chiefs. In Dhulbhoom the Raja has charge of the Police, with the powers of a Darogah. It is supposed that crimes in the Colehan are not always reported, but the Assistant is of opinion, and I quite agree with him, that at present it is not desirable to attempt to introduce another system. It certainly would not be safe to station Police Officers amongst the Coles, according to the system which prevails in the Regulation Provinces. There must be a party strong enough for successful watch and defence, or none at all, but a more efficient sudder establishment is greatly wanted, as I have mentioned in another part of this report in the chapter on establishments.

104. Nothing can be done in which a Cole is concerned, without the assistance of one of these Dhobassia Chuprassees. If a Cole is brought in by a Mankee a Chuprassee must be in attendance, if an inquiry is to be made in the Mofussil, a Chuprassee is deputed; if a Cole prisoner is to be sent to some other Jail, a Chuprassee goes with him; if a Cole witness is to be examined, a Chuprassee must interpret; in short, in 25 Peers or Pergunnahs, containing 73,505 inhabitants, nothing can be done in any Department without the assistance of one of these men. I have proposed that they should be increased from 9 to 16.

105. Considering the power in their hands, the mischief that might be occasioned if they were false, and the constant hard work demanded from them, the salary allowed, Rupees 5 each, is very low; however the Assistant speaks very highly of the conduct of those in employ, and if such services are procurable at Rupees 5, there is no good reason for proposing an increase.

106.. Sixteen, the number proposed, will still be too few to expect any thing like good Police management, but I think it would be well, if instead of always waiting till information is brought by the Mankees or Moondas, they were periodically deputed two at a time to visit the Pergunnahs and ascertain that no crimes had been concealed. Though, as I have said, there might be danger in stationing a weak party in the Colehan, the visit of a weak party, such as of course two persons only must be, is very different. A tiger never springs on a object that passes quickly before him, and so these savages would never commit any violence on the migratory Chuprassees, though they would, in all probability, murder before he had been there six months, the Darogah of a small establishment fixed amongst them.

107. As I have mentioned in another place, some of the Cole villages are distant no less than from 60 to 70 miles from Chyebassa. It has now become notorious that the Mankees and Moondas cannot be trusted for reporting all crimes; on the contrary, there is every inclination on their part to side with the guilty persons in some of the most barbarous murders that take place amongst them, *viz.*, the slaughter of people supposed to be witches. A Cole who owes another a grudge, has but to give out that he has ascertained the aggressor to be a witch to bring over to his side Moondas and Mankees, and when he has slain the so-called witch, they will all use their utmost endeavors to shield the murder and conceal the crime.

108. Heinous crimes are not unfrequent. I find in the Returns for three years, the following:—

Murders,	.....	.....	.....	.....	30
Dacoities,	.....	.....	.....	.....	12
Highway-robbery, ...	.....	.....	.....	.....	10
Arson,	.....	.....	.....	.....	14
Rape, .....	.....	.....	.....	.....	1
Burglaries, .....	.....	.....	.....	.....	53

and the Assistant suspects that many of the very numerous suicides reported are in fact murders, which the relations of the deceased, the Mankees and Moondas, have resolved shall be concealed.

109. I have perused the three last Police reports; they show that the Cole of 1854 is a very little improvement on the Cole of 1837. Circumstances, which in other parts might occasion a hasty word, or an angry look here bring out the arrow and the axe. They are still so suspicious that when their devoted friend Captain Haughton marked off a road with some sticks, several villagers took to the woods under an impression that they denoted his intention to destroy them, and only returned on the marks being removed. With the exception of weavers, who make the little cloth they want, and gualas who tend their cows, they will allow no foreigners to settle in their villages, and they desire that a considerable portion of their villages should continue waste, lest it should be wanted by their grand children!

110. The Principal Assistant reports that the Police in Dhulbhoom under the Raja is "inefficient to a degree that worse it could not be; that several cases are on record of murders and other heinous crimes committed under the very nose of the Raja, in which he and his servants are strongly suspected of having been implicated, in which the perpetrators were never brought to justice."

111. The state of the Pergunnah as regards the Police, calls for remedial measures, as much as its state with reference to revenue matters.

112. In his letter of 1st October 1851, the Principal Assistant recommended, when reporting on a case of torture, in which the adherents of the Raja were implicated, that the Police of Dhulbhoom should be modified. He wrote, "I have always had cause to be dissatisfied with the Police of Dhulbhoom, which appears to be more a terror to the peaceable inhabitants than to offenders. Complaints of oppression have abounded, but from the fact of there being but one Mohurrir for the whole of the Bengalee work of this Office, such close attention has not been given to Bengalee cases as should be desired. The complicity or privity of the whole Police establishment in this case, is, I think, clear. I would therefore suggest, that some arrangement be made to put it more under control of the Assistant, if indeed the Raja be allowed to retain it at all."

113. On the 22nd October 1852, the Assistant reported that the Raja would not pay the Police, that all were from one to three years in arrear. I have under the head of "Post Office," mentioned that he will not keep up the Mofussil dâk, so that the communication with the Assistant at Chyebassa, occupies weeks instead of days. The authorities know the Raja of Dhulbhoom to be so ignorant, that it is hopeless to expect any good

from him, and they believe him to be a cruel tyrant capable of any wrong. The case of torture to which the Assistant alludes in his letter quoted above, took place at Ruggonauthpore, where the Raja resides. The unfortunate women who suffered were employed in the Gurh, and it is almost impossible that such proceedings should take place without his knowledge. The parties committed for trial were acquitted in consequence of discrepancies in the evidence, but that the women were cruelly tortured by some persons in the village, in which the Raja resides, was clearly proved.

114. It cannot be desirable to leave the Police of a Pergunnah containing 58,000 people in the hands of a person of such a character, but it is very difficult to supply a substitute. The people have been so long used to regard the Raja as their lord and master, that it would be quite useless to station an ordinary Native Officer as Darogah at Ruggonauthpore or Nursinghur; moreover, if the Police is once taken out of the hands of the Raja, there must be an engagement on the part of the Government, that it shall be retained in the hands of Government Officers during his life.

115. I should say also, that though I know the Raja to have been guilty of grievous crimes, the prejudice against him has for years been so violent, and in consequence of disputes with the Ghutwals and Pudhans and ryots respecting rents, there are so many always ready to accuse him of wrong doing, that I feel it to be dangerous to believe more than a portion of all that is reported to his prejudice.

116. The present Principal Assistant recommends, that "an efficient Police be established immediately under the Assistant, the Raja not to be allowed any Police jurisdiction, of which he has for years past shewn himself utterly unfit and unworthy." The cost of such an establishment would be considerable, and it appears to me doubtful whether we could hold the Raja answerable for the expense of any Police establishment, it was considered proper to locate in his estate.

117. Upon the whole I do not recommend any immediate alteration in the constitution of the Police. If my proposal respecting the assessment of the Colehan, the settlement of Dhulbhoom, and the employment of the medical Officer as Assistant to the Principal Assistant be approved, the Assistant will pass much of his time during the ensuing two years in Dhulbhoom. This will check the Raja's malpractices, if he is addicted to them, and it will afford the Assistant the best opportunity of ascertaining

whether his conduct is such as to make it absolutely necessary that he should be deprived of all authority in the Pergunnah.

118. As I have said, the Police in Singbhoom is in the hands of the Chiefs of Porahaut, Kursawa and Seraikela, their management is supposed to be lax, and devoid of system, but no complaints are made, and no attention at present appears called for.

119. The number of houses in Chyebassa bazar and the adjoining hamlets, has increased to 560, and the number of inhabitants in the bazar and neighbourhood is supposed to be 2,300. A considerable trade is rising, and if it suffer no check, will greatly increase, especially in Tusser, which is already estimated at about 70,000 per annum. I have consequently proposed that a Jemadar and four Burkundauzes should be employed at Chyebassa. The Jemadar and Burkundauzes should all be Coles, or persons who understand the Cole language, in order that they may be available for employment in the Colehan at a distance from the station when required. I regard this Tusser trade as deserving every reasonable encouragement; it virtually gives a value to all these wilds. The "Asun tree," on which the worm feeds, abounds in all the forests, and there appears no limit to the production of cocoons. The Coles are beginning to give their attention to the rearing of silk-worms and collecting of cocoons, from which I think advantage to themselves and others may be anticipated.

120. This appears to be the place in which to notice an order of the Agent's, which I think mistaken, and opposed to the spirit of the orders issued by Government in 1837. In his letter to the Assistant, dated 22nd May 1850, the Agent ordered that "in future the Assistant should refer to his Office regarding all future cases in which the resident of a neighbouring Zemindaree may be concerned, *versus* inhabitants of the Colehan, and in which the delay of reference is not likely to operate against the ends of justice; in a case in which it might be otherwise, he was to be so good as to proceed in the manner directed by Captain Wilkinson, furnishing a report of the circumstances in an English letter to the Agent's Office." In 1837, the Government, after a reference to myself as Commissioner of Cuttack authorized the Singbhoom Authorities to proceed against the inhabitants of the neighbouring Zemindarees when complained against by the inhabitants of the Colehan. I cannot see the necessity of the reference ordered, and it seems objectionable an Agent thus summarily setting aside a custom approved by his predecessor without a reference to Government. It appears to me that the good Government of the Frontier

would be much promoted if the Assistant stationed at Chyebassa were also made ex-officio Assistant to the Superintendent of the Tributary Mehals of Cuttack, with jurisdiction in the Bamunghattee Divisions of Mohurbunge and the Frontier Pergunnahs\* of Keongur. These parts are so far distant from the Cuttack Authorities, that they can learn nothing of affairs connected with them, whereas, the Bamunghattee Frontier is but 14 or 15 miles, and the Keongur Frontier but 28 miles from Chyebassa. I would allow the Assistant to send his Officers into the Mehals named in pursuit of offenders, without first of all communicating with the Rajas, but the Assistant should, as soon as might be, communicate his order to the Raja, and call on him to assist his Officers in apprehending any person of whom they may be in pursuit.

121. There has I think been a very mistaken conception of the nature of a useful Police report. The Report for 1850 is 97 sides of large paper, that for 1851 is 262 sides of foolscap paper, and that for 1852 is 164 sides of the largest Serampore paper. They each, instead of containing a pithy abstract of each of the heinous cases, contain a copious translation of the evidence in all but very trivial cases. This should be stopped. Such long reports are of little, if any use, and with the establishments allowed they cannot be copied without throwing all the other business of the Office into disorder. A few years ago the whole correspondence for the year did not equal one of these reports, now forwarded on the subject of Police alone.

122. PUBLIC BUILDINGS.—The Kutcherry is the worst I ever was in. It is one small confined and unwholesome room with a Verandah, which is enclosed on one side for the Writer and at

8 1/2		8 1/2
0		0
0		0
0		0
0		0
8 1/2	30 X 20	8 1/2
8 1/2	18 X 08	8 1/2

the corners for Treasury, &c. There is no room for papers, which have accumulated considerably. There is no room in which the Amlah can sit, no room in which any one in attendance can obtain shelter, no treasury, no guard-house. It is 150 feet South of the Jail, 246 feet North of the bazar, between the two. The presiding Officer has no bench—seated at a little table surrounded with people, records, boxes and shelves, he has to sit for 7 or 8 hours per day in an atmosphere, which it is quite

impossible any constitution should stand long.

\* To be defined after consulting the Superintendent of Cuttack Tributary Mehals.

123. A wholesome decent public Office would cost but little, and that little should be immediately expended, without reference to the amount of revenue which is procured from the Colehan.

124. The requirements are, an airy room for the Assistant, a record room, a room for the Native Officers, a small Treasury, and shelter for the many people often in attendance. There is abundance of stone in every direction, which can be collected by the Prisoners. Limestone is to be had for nothing, the only expense will be the pay of two masons, charcoal, timber, straw and tiles. At an expense of Rupees 1,500, all necessary may be provided. The plan of the existing Kutcherri, I have given above, the plan of the building I would substitute is entered in the margin. The Assistant's room should be a little higher than the others, and have higher doors for the sake of ventilation and light; a shed to shelter the people in attendance may be built of mud with a thatched roof a short distance to the East of the Kutcherri house. All the houses to the South within 200 yards of the Kutcherri should be removed.

Treasury.
Records.
Writers.
Assistant's Office.
Amlah.

Unfortunately the Kutcherri is immediately South of the bazar, so that for nine months of the year all the smoke and heat of the bazar is carried to the Kutcherri, but if the houses within 200 yards be removed, the nuisance will be so much decreased that little inconvenience will be suffered. I consider these improvements absolutely indispensable, and if possible, the increased accommodation should be provided before the ensuing hot season.

125. At the distance of 770 yards North-West of the present Kutcherri, there is a building erected for a Sepoy Hospital. When a Regiment was stationed here, it was required, now there being but a small detachment, and never above two or three sick, the building is not wanted. I recommend that it be converted into a house for the Agent, with a few alterations, which will not cost above Rupees 2 or 300, it may be made a wholesome convenient house, and the situation is in every respect unobjectionable. The building is constructed of burnt brick with mud. The roof is thatched, covered with tiles.

126. The Jail is an open mud shed, built in the shape of a square. Till lately there was no wall of any sort, now a bank of earth, about 5 feet high and 5 feet wide, has been thrown up round it. There are at this time 170 prisoners. They remain there because they do not choose to run the risk of punishment for escaping. There is nothing to prevent any one from getting out, who has not made up his mind to remain inside, except the very objectionable plan of having a single Burkundauze stationed in the ward with the prisoners.

127. With the exception of the year 1852, when the Cholera killed 66, the Jail has been healthy. Such a place is beyond criticism, but it seems doubtful whether a prisoner should be punished for escaping when he is placed where he is incited to escape.

128. The dietary system prescribed in the Regulation Provinces has been carried out; neither opium nor tobacco is allowed, but on Sundays the Prisoners are still feasted with five sheep at Rupee 1 each and Rupees 2 worth of oil and mussalah, besides the usual daily rations, this indulgence should be stopped. The relations of Coles are permitted to bring an intoxicating drink common among them, and give it to those incarcerated. Theory says this should be stopped also, if the liquor is absolutely indispensable to the health of the prisoners, it should be procured and served out in such quantities as may be necessary. But, with such a Jail, and the sort of discipline there must be at Chyebassa, such a rule would merely saddle the Government with the cost of the liquor, which is now paid by the sympathizing friends.

129. Up to 1852 the want of discipline was such that the Assistant reported to the Governor General's Agent that a prisoner, a dacoit, from Hazareebaugh had a mistress trading on his account living close to the Jail, and that it was proved that one of the female prisoners was the recognized concubine of one of the Burkundauzes. It is now better, but there can be no really strict discipline till there shall be a new Jail, and the admission of liquor shall be forbidden.

130. The diet of labouring and non-labouring prisoners is the same. The cost is Rupee 1-4 per mensem. They are all employed at out-door work, such as making and repairing roads.

131. The Jail had, as I have said, been considered healthy till the Cholera broke out among the prisoners in 1852. The mortality was no less than 21 per cent in two months, 66 having died out of 291. The prisoners were removed from the Jail, then divided into two

*Percentage of Deaths in the Sing-  
bloom Jail, from 1849 to 1853.*

1849, .....	about	$1\frac{2}{10}$	per cent.
1850, .....	"	$6\frac{1}{2}$	"
1851, .....	"	$3\frac{1}{10}$	"
1852, .....	"	$38\frac{1}{2}$	"
1853, .....	"	$6\frac{3}{10}$	"

*Daily percentage of Sick in the Singbhoom Jail, from 1849 to 1853 :*

1849,.....	about	$3\frac{9}{10}$	per cent.
1850,.....	"	$3\frac{3}{10}$	"
1851,.....	"	$6\frac{1}{3}$	"
1852,.....	"	$7\frac{3}{10}$	"
1853,.....	"	$5\frac{3}{10}$	"

parties, but to little purpose. It is very remarkable that though when removed, the guards were encamped with the prisoners, eating the same food and drinking the same water, only four of the Burkundauzes were attacked, and not one of the Sepoys.

132. Though the Jail is a bad one, there is no reason why it should be unhealthy so long as it is not overcrowded. It is built exactly on the plan in which native houses are for the most part erected. There is no thorough draft any where, and if crowded, it must consequently become unwholesome. There never should be above 250 persons confined in this Jail at any time, and in the hot months, between 1st April and 1st August, there should not be more than 200 until the following improvements have been made. The Choppah all round should be lifted 6 inches from the wall for the sake of ventilation, and another ward should be provided by throwing six out of the eight small cells on the South side into one.

133. ROADS.—At a very trifling cost a good fine weather road may be opened from Chyebassa to Midnapore, which for eight months of the year would be perfectly passable for wheeled carriages. I carefully observed the whole of this route; very good water is procurable at convenient distances; no bridges are necessary; for many miles a little jungle cutting only will be required. I calculate that for the first year the expense may be about on an average Rupees 30 per mile, or for the whole distance Rupees 3,330, and that afterwards Rupees 10 per mile laid out each year as soon as ever the rains have ceased, will keep the road in very good condition. The chief expense after the first year will be in throwing earth over the rocky parts of the road, which will be necessary every year, for the rains will always wash it away, but there are no places in which earth or gravel is not procurable within a short distance in sufficient quantities.

134. The first 30 miles are in the Midnapore District, half in an estate farmed by Messrs. Watson, half in an estate now held by the Court of Wards. Messrs. Watson and the Tehseeldar would readily undertake the work in their respective precincts. No science will be necessary; there must be no throwing up of earth any where. The track is merely to be marked and thoroughly smoothed; the jungle cut, the approaches to the beds of some torrents to be crossed cut down a little, and the rocks covered with earth.

135. The next 52 miles lie through the Pergunnah Dhulbhoom. The Raja could have the work done, but if the money were made over to him,

I fear he would appropriate the whole, and have the work badly done by forced labour. It will be preferable to employ four Jemadars on this part of the road, or to procure the services of the village Pudhans, through whose villages the road runs; many of them would gladly undertake to do the work by contract every year.

136. The next 22 miles is in the Zemindaree of the Koonur of Seraikela, the country is open and cultivated. There is scarcely any work required, except a little smoothing here and there. The remaining 7 miles is in the Colehan, where the country is of the same description, as in the Seraikela Division, and a fine weather road might be made at the expense of Rupees 4 or 5 per mile.

137. At this trifling expense Chyebassa, Seraikela, and the rest of Singbhoom will become more accessible from Midnapore than Balasore, and it will, I believe, do more towards civilizing the wild tribes of Dhulbhoom and Singbhoom than any number of rules and schools.

138. Some will remark that merely a fair weather road can be no great advantage. In these parts there are very few travellers at any season, none in the rains, if by any possibility to be avoided. The road is required for merchandize, which would not be moved during the rains, however good the road might be; provided the work be commenced in every village throughout the line on the 1st November, when the rains have ceased, and, cultivation being over and harvest not come, the people are idle, the road would be open quite as soon as merchants are prepared to move, but I beg emphatically to represent that the success of the plan must depend entirely on all being done early in November. If all be not done, there is no use in doing a part, an impassable 50 yards is just as great an impediment as an impassable 50 miles. When the road shall be reported completed, which it should be by the 15th November in each year, it should be notified in the *Gazette*, and proclaimed by the Magistrates, that the communication is open.

139. Since the above was written, I have seen all the country between Chyebassa and Purulia, and from questioning people of different classes, learned a good deal of the roads in other directions. They are all of much the same nature, now, next to, if not quite impassable, but capable of being made excellent fine weather roads, at a very trifling cost. Where there is jungle, the jungle must be cut for a few feet on both sides, say a clear 60 feet, 20 feet road, and 20 feet on each side. If employed at the season when cultivation is not going on, the villagers will readily do this work for one anna per day. Some of the passes in the hills are now

very stony and difficult, but a few baskets of earth thrown down in November would remove all difficulties till the next June. It is my belief that for an average expense of about Rupees\* 20 per mile in the first place, and of 10 per mile each year afterwards, or for the first year 7,340 and each year afterwards 3,670, such roads might be opened that there would be no difficulty whatever in driving a buggy from Midnapore to Chyebassa, thence through Burrah Bazar to Bancoorah; and from Chyebassa to Purulia, and from Chyebassa to Chota Nagpore. There are other routes such as that from Tamar through Dubba joining the road from Chyebassa through Burrah Bazar to Bancoorah, which might also be improved at an outlay from Rupees 5 or 6 per mile.

140. The road from Kyparah in Cuttack through Keongur to Rainchee, by which route now 80,000 maunds of salt is transported on bullocks from the Kyparah Golah to the Chota Nagpore District, is of the same character, almost impassable, even for bullocks, in some places, and for about the same expense might be made passable during the dry months, when alone, as I have said, merchandize is moved, for carriages of all sorts, a bullock carries two maunds, a hackery with a pair of bullocks carries 12 maunds. The carriage of the 80,000 maunds of salt from Kyparah to Chyebassa, now about 80,000, might by an outlay of about 2,720 for the first year, and 1,360 each year afterwards, be reduced† one-half. I beg I may not be misunderstood; what is usually called a road would on this line cost an immense sum. A fine weather track

A cooley here will cut a space 240 feet long and 18 feet broad or 4,320 feet, and charge one anna. For the most part there is already a clear path 20 feet wide, 40 feet must be cleared, or 2,11,200 feet per mile, which at 4,320 for one anna will cost Rupees 3. The charge will not be more than double for the heaviest jungle if the large trees are not to be cut, and the large trees should never be cut.

for hackeries, which is all that is wanted, would at the utmost cost what I have stated, and lest comparisons with reports from other parts should make my calculations appear erroneous, I would remark that in these Districts all the rivers and mountain torrents are dry all the months during which goods are on the move. No bridges are necessary any where. The chief expense will be jungle cutting. The most careful orders will be necessary to prevent trees of a considerable size from being cut as well as the underwood. In Singbhoom they have committed the mistake of felling all the trees, and for miles

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\* I have said Rupees 30 for Dhulbhoom alone, the jungle in parts being very thick and parts very rocky.

† It is to be borne in mind that one man looks after many bullocks, but it is usual to have a man to each hackery.

there is not shelter for a traveller. The space to be entirely cleared need not exceed 20 feet, in the remaining 40 feet all trees should be preserved, but the branches lopped as high as 10 or 12 feet from the ground.

141. I am told the estimate for metalling two miles of the road between Paunchkorah and Tumlook is Rupees 18,000. For that sum nearly 1,000 miles of road may be opened in these Districts to the great advantage of the country. It is generally supposed that good water is very scarce. Things have greatly improved in that respect. I have not experienced inconvenience any where. A system of dams has become common all over these Pergunnahs; every village has its dam and reservoir, and water is plentiful, though there has not been a shower for above three months.

142. I earnestly recommend to notice this plan of fine weather roads for these Districts. In all probability there are other routes which might advantageously be opened in like manner.

143. GENERAL ESTABLISHMENT.—The whole establishment of the Office to assist the European Officer in all Departments is as follows :

*English Office.*

Madhub Chowdry, English Writer, ... ..	40
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*Native Office.*

Lala Mewalal Peshkar, ... ..	40
Sobenath Mahaty, Ooriah Mohurir, ... ..	20
Tarney Churn, Bengalee Ditto, ... ..	15
Golam Russool, Mohurir, ... ..	15
Settaram Tewary, Khazanchy, ... ..	20
	<hr/>
	110
Chintamun Mahaty, Jemadar, ... ..	10
1 Duffadar of Chuprassees or Dhobassias, .. ..	7
9 Chuprassees or Dhobassias, at 5 each, ... ..	45
1 Khalasy, ... ..	5

*Jail Establishment.*

1 Duffadar of Jail, ... ..	8
8 Burkundauzes, at 4 Rupees each, ... ..	32
Ramruttun, Native Doctor, ... ..	20
1 Assistant to Ditto, ... ..	6
1 Sweeper for the Jail and Cole Hospital, ... ..	4
1 Jail Blacksmith, ... ..	6
	<hr/>
	76

Total, Company's Rupees,...	293
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144. Slave how they may, and they do slave from morning to night, the work cannot be done by these five persons. It certainly is not desirable that all the recording and numbering and copying of a Bengal Office, should be introduced here; but there should be sufficient method in the management to prevent the records from becoming a useless collection of papers, and tasks should not be imposed on the Native Officers which, it is admitted, they cannot perform. On the 9th January there were 95 Dewanny cases decided by the predecessor of Lieutenant Davies and by himself, in which the final roobukarees were unwritten, in consequence of no one having leisure to write them, and 40 Dewanny cases were ready for hearing, which remained unheard, because no Native Officer had leisure to read them. Lokenath Mahaty, the Ooriah Mohurir, is almost exclusively employed in collecting the revenue of the Coles. Though the sum total is small, the items are numerous. Pottahs have to be written, though the engagement may be for a few annas only, and receipts have to be given for like sums, and though the transactions of the Office are inconsiderable, the same returns have to be made to the Offices of account, as in large Districts, and correct accounts of all transactions must be kept.

145. Within the last few years, the number of civil suits yearly instituted has quadrupled, the number of cases connected with revenue has trebled, while the business in the Criminal Department alone is sufficient to occupy the whole Establishment at present allowed. The English correspondence is five times what it was in 1845, and more than double what it was in 1849.

146. After several consultations with the Assistant, I am of opinion that he should be allowed the following Establishment for the duties of all Departments :

Head Native Officer,	...	...	...	...	...	...	...	50
Second ditto,	...	...	...	...	...	...	...	25
Third ditto,	...	...	...	...	...	...	...	20
Mohurir,	...	...	...	...	...	...	...	15
2 Mohurrirs at 12,	...	...	...	...	...	...	...	24
Mahafiz,	...	...	...	...	...	...	...	20
English Writer,	...	...	...	...	...	...	...	50
								204
Assistant Writer,	...	...	...	...	...	...	...	20
Duftree,	...	...	...	...	...	...	...	8
Treasurer,	...	...	...	...	...	...	...	20

Jemadar, ... ..	10	
Head Dhobassia, ... ..	10	
* 16 Dobassia Chuprassees at 5, ... ..	80	
		148
Kalassy, ... ..	5	
Sweeper, ... ..	4	
Jail Jemadar, ... ..	16	
„ Naib, ... ..	8	
„ 8 Burkundauzes, ... ..	32	
		65
„ Native Doctor, ... ..	20	
„ Assistant ditto, ... ..	6	
„ Blacksmith, ... ..	6	
„ Sweeper, ... ..	4	
		36
		453
Present Establishment, ... ..	293	
		160
		12
	Per annum, ...	1,920
1 Jemadar at 10, 3 Burkundauzes at 5 ditto, ... ..	300	
	Grand Total, Co.'s Rs. ...	2,220

147. The increase which I have proposed should be assessed on the Coles, will much more than cover this increased expense, and the expense of the other improvements I have proposed. But if from motives of policy, it should not be considered advisable to increase the assessment in the Colehan, still I submit a sufficient Establishment should be allowed the Assistant to enable him to perform the duties of the office with efficiency and reasonable despatch. In his letter of the 6th April 1850, the Agent complained that the language and the writing of papers received

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\* It is to be recollected that these Officers constitute the only Police in the Colehan. They are despatched to inquire into any cases which may be reported. The nine persons at present employed are not unfrequently all absent together. The Sarunda Cole Peer is 70 miles, the Jamda Peer 50 miles and the Bur Peer 44 miles from Chye-bassa.

from Chyebassa were frequently so bad that they were not to be understood by competent Amlah. It cannot be otherwise when every paper is written in a hurry, and the remuneration allowed is not such as will induce those who have been educated in a manner to enable them to procure employment elsewhere to remain in the Colehan.

148. SALT.—This place and the country round, are supplied with salt from the Kyparah Golah in Cuttack. The merchants pay rupees 1-14 for it at Kyparah, and sell it here at rupees 3-5. It is just one month's journey for a bullock. The carriage amounts to about rupee 1-1\*, the remainder makes up the loss by wastage and the profit of the dealer. A large quantity is carried on to Chota Nagpore, Sirgoojah and Palamow, and they say, reaches Gya, but I do not think this likely. The expense of land carriage would be so heavy, I cannot suppose it could compete with salt taken up by water from Calcutta.

149. There is no reason why the people of this part of the country should not procure their supplies from Balasore, which is many days journey nearer than Kyparah, but I imagine difficulties must be occasioned by the Raja of Mohurbunge, with whose sales it might interfere, if he did not incur expense to prevent salt being sold in transit. I see no occasion to interfere with the existing traffic, which is increasing yearly, as I showed in reporting on Cuttack. The supply being drawn from Cuttack instead of from Balasore, has many advantages. In the first place it is a considerable advantage to Cuttack, for the manufacture must have been more restricted than it has been, had there not been this drain. In the second place the Balasore salt being in great demand at Sulkea, it is not desirable to increase the sales at the District Golahs; and in the third place, if the supply was procured from Balasore, there always would be risk of the merchants disposing of part of their despatches to people from the North-West Pergunnahs of Midnapore.

150. It is very satisfactory to learn here from the best authority that the Raja of Keongur has, as far as salt is concerned, carried out the orders forbidding the Rajas of the tributary estates from levying duties on merchandize passing through their territories. During the few days I have been here, nearly a thousand bullocks must have passed through with salt, and the Beoparrees assured me, that they had suffered no molestation of any kind in Keongur, nor paid a farthing to any body.

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\* It varies very much. The larger the despatch, the less the cost.

151. The Beoparrees here positively affirm, that whether the salt be taken from Balasore or Kyparah, they always have to pay 1 anna or 1 anna 1 pie per maund to the Amlah of the Golah ; that the demand is a matter of course, and that no despatch of salt is ever allowed to leave the Golah till this has been paid. From the manner in which this information was conveyed to me, I have no doubt whatever of the truth of the representations. No complaints were preferred. I was making inquiries in order to ascertain the cost of bringing salt to Chyebassa, and the parties uniformly stated that they paid Rupees 1-14, and 1 anna or 1 anna 1 pie expenses or " luggan."

152. Great complaints also were made of the Raja of Mohurbunge, and his Officers, who will not allow a trader to move without taxing him. The Tupur merchants who frequent Bamunghattee affirm that the tax on their proceedings in Mohurbunge is not less than 6 or 7 per cent, and though the Keongur Raja never interferes with the salt merchants, he is said to levy a tax upon every trader that enters his Zemindaree. Such extortions are very injurious. Till a severe example shall have been made of one of these Chiefs, they will not cease from these exactions. I think it would be well to direct the Governor General's Agent to instruct the Principal Assistant of Chyebassa on a case being brought to his notice to hold a formal inquiry, take depositions, and report in full detail, in order that the offending Chief may be called to account for departing from the terms, on which he holds his Zemindaree.

153. As in my report on Midnapore, I have brought to notice, that the whole of Dhulbhoom is supplied with salt from Mohurbunge, further notice of that subject is not necessary here. Cuttack and Balasore salt from Chyebassa might be sold in Dhulbhoom at from Rupees 3-8 to Rupees 3-12 per maund.

154. SCHOOLS.—In 1841, an English School was established at Chyebassa, for the education of the Coles, at a monthly expense of Rupees 125. The parents being considered too poor to provide for their children at the school, each boy was allowed from half an anna to one anna daily for his maintenance. The boys were taught English and Hindee. The progress not being regarded as satisfactory, two years ago the English and Hindee school was abolished, and in its stead five Bengalee schools were established at the following places :

Chyebassa ; Churree, Colehan ; Jyutgurh, Colehan ; Ghatseela in Dhulbhoom ; Seraikela in Singbhoom.

At whose suggestion the Governor General's Agent recommended that Bengalee schools should be established in the Colehan and Singbhoom, does not appear, but it was clearly a mistake.

155. In his letter of the 19th April 1852 Captain Haughton, Principal Assistant, who saw more of the Coles than any one who has held Office at Chyebassa, since the departure of Captain Tickell, strongly recommended that Hindustanee should be taught in the schools of the Colehan. He writes, " I consider that since the establishment of Hindee as a separate Department, which took place in the early part of 1848, a very decided benefit has accrued to the Coles. There are now many lads to be found who can speak the Oordoo form of Hindee intelligibly, and also write it in the Deo Nagree character. Up to the end of 1847 every boy was compelled to learn English, and the instruction in Hindustanee (for which the English master received Rupees 15 per month) was such that not one boy could be found capable of writing legibly. I then introduced Hindee as a separate study, though unable to procure a fully qualified teacher, from the necessity which existed of devoting a portion of his salary to an interpreter, yet still by the introduction of a teacher of reading and writing, the attendance of the Coles considerably increased, so that from a total number of 71 (of whom 24 Coles) on the books in May 1847, the actual daily attendance had increased to 92, of whom 49 were Coles, in November 1848, learning Hindee. All the Bengalee traders, who visit this quarter, understand the Hindee, all the inhabitants of the bazar cantonment do, and the whole of the Amlah, besides which it is the language in which all their petitions, pottahs, &c. have been written for years, while on the other hand, the only people who understand Bengalee, are a few Mookhtars from Purulia, and about one hundred traders, who come yearly to deal in Tupur." Captain Haughton concluded by representing, that there was not one Bengalee family in Kursawa; two in Porahaut, and in Seraikela 58 Bengalee families out of a population of 46,498 souls, and begging that the study of Hindee instead of Bengalee might be allowed.

156. And in October 1853, Captain Haughton, after another year's experience, reported that he considered the Bengalee schools in the Colehan useless, that he had used every means short of compulsion to induce the Coles to frequent them, but without avail, whereas in 1847-48 the number at the Hindee school was 84.

157. The present Principal Assistant concurs entirely with Captain Haughton, and is decidedly of opinion, that if it is desired to improve the condition of the Coles, the Hindee school should be restored, and an allowance given to the boys, who may attend as heretofore. Lieutenant Davies remarks that as the zemindars of Seraikela, pay no revenue, the people have no claim on the Government for education. It is true the Seraikela Chief pays nothing, but he and his fathers before him, have, on many

occasions, performed such good service, that, the school having been established at Seraikela, I would not withdraw it merely because he holds his Zemindaree free of any demand of revenue.

158. I strongly recommend that the three Bengalee schools in the Colehan be immediately closed,\* that one thoroughly efficient Hindee school be established at Chyebassa, under the eye of the Assistant, and that all Cole children, who are poor, be allowed sufficient to support them. It may be quite true, that children should pay for their education, instead of being paid, but it is most desirable, that some of the rising generation of the Coles should be less savage than their fathers. Experience has already shown that

\* The attendance for the last six months of 1853, was as follows:—

	Chyebassa.	Churrie.	Jyuth.
July, .....	11	11	14
August, .....	8	2	16
September,...	9	7½	17
October, .....	4	5	0
November, ...	4½	7	10
December, ...	4	7½	10

they are ready to receive instruction in the Hindee language, and that for the most part the parents cannot or will not support them while at school. A great object should not be abandoned because, under ordinary circumstances, general principles are opposed to the plan which alone promises success. The Coles, already 75,000 in number) are daily increasing, they have possession of 1,000 square miles of fine country, and it is a matter of the greatest consequence, that at all events some of the children of the Mankees and Moondas should be educated so as to be able to communicate with the Authorities, without the aid of an interpreter. If no other advantage could reasonably be looked for, I should consider that alone as quite sufficient reason for having a Hindustanee school, and for endeavoring to induce the Coles to allow their children to attend it.

159. The Chiefs and people of Seraikela, all desire that Hindustanee should be taught in the school instead of Bengalee. As Captain Haughton states, that there are but 58 Bengalee families, out of a population of 46,498 souls, I would comply with their wishes.

160. If my proposals are approved there will be in the Chyebassa Divison three schools:—

	Ghatseela.	Seraikela.
July, .....	55	20½
August, .....	46	20½
September,...	51	19
October, .....	40	14½
November, ...	40	16½
December, not received.		

A Hindustanee school at Chyebassa.

A Ditto Ditto at Seraikela.

A Bengalee Ditto at Ghatseela or Singbhoom.

The attendance at the Seraikela and Ghatseela school for the last six months has been as per margin.

161. **DAWK.**—The Principal Assistant brought to my notice, that the Dawk to Chyebassa from Calcutta comes round by Chota Nagpore. I will report on this subject hereafter.

162. There is no Mofussil Dawk of any sort throughout the Colehan, nor are there any officers of any description, stationed in the Mofussil.

163. In his letter of the 6th July 1852, the Assistant brought to the notice of the Agent the inefficiency of the zemindaree Dawk between Chyebassa and the estates of Porahaut, Seraikela and Dhulbhoom. With regard to Dhulbhoom, he represented that returns were often received in a lump, some of them having been detained from ten days to six weeks on the road, that ever since 1847, fruitless attempts had been made to obtain improvement, and that the slowness of the communication had been one of the greatest obstacles to the establishment of a proper control and supervision over the Police of that District. The Assistant proposed that for the maintenance of District Dawk, rupees 312 per annum should be levied from the zemindars in the following proportions:

	Rs.	As.
Porahaut, ... ..	49	0
Seraikela, ... ..	106	5
Dhulbhoom, ... ..	123	5
Kursawa, ... ..	33	6
	<hr/>	<hr/>
	312	0
	<hr/>	<hr/>

164. The proposal was not approved by the Agent, and matters have continued nearly as bad as ever to this time. On the 22nd September 1852, the Assistant brought the neglect of the Raja of Dhulbhoom, to the notice of the Agent, respecting that, though the Raja's residence was distant only 59 miles from Chyebassa, the average time in which the receipt of his Perwannahs was acknowledged was 36 days, that in June the average time occupied by packets was 19 days, in July 18 days, in August 20 days, and that 15 packets were missing.

165. As in each of the estates named, there are Paiks holding land, it does not appear to me necessary to levy a money contribution on the Zemindars, but I think they should be called upon to station runners to be employed on this work only at convenient stations to be named, and to provide them with a suitable hut at each place; should this plan fail, in consequence of the Zemindars not making proper arrangements for establishing the runners, the alternative proposed by the Assistant might be resorted to.

166. VISITS OF COMMISSIONER.—Within the last 13 years Chyebassa has been visited but twice by the Governor General's Agent; Colonel Ouseley visited the District in 1840 or 1841, and Mr. Crawford in 1849. I have recommended that the building, formerly the Sepoy's Hospital, now not required, should be altered so as to make it a fit residence for the Agent. Very little will be required. He will never, unless there should be some very emergent reason, pay his visit at any other than the cold season, and little more is necessary than to divide the one long room into three, and to put in jilmill doors. As bearers can be laid on the road, and the journey performed by dāk in 26 hours, I can see no reason why the Agent should not visit Chyebassa once a year.

167. During the last 13 years there have been 22 changes in the Office of Principal Assistant, and no less than 15 different persons have had charge. The average length of time one person has held the Office without change is six months and a fraction! I submit it is impossible that there should be improvement in any Department so long as this system shall continue. Such constant changing, bad every where, must be especially prejudicial here, where the system is so entirely different from the system any where else, and the people are so entirely unlike any other people.

168. There is every thing at Chyebassa to make a person wish to leave it, while it has not a single attraction. At three different periods Captain Haughton was altogether five years at Chyebassa, and as a person there said to me, "Sir, it seemed as if all night as well as all day his thoughts were busy in endeavouring to devise and carry out plans for improving the place and people;" but few of the remaining persons had charge of the Office long enough to understand how good might be done. I see no prospect of improvement in this respect, unless a young Uncovenanted Officer be placed in charge, and whenever Lieutenant Davies shall obtain promotion, I would adopt that plan. I would select with reference only to qualification for the Office the youngest Uncovenanted Officer available, and give him the income now enjoyed by the Covenanted Officer, Rupees 750, provided his health did not fail, (and in all probability it would not fail if the kutcherry be improved, for the place is not, generally speaking, at all unhealthy), he would remain at Chyebassa at least seven or eight years. The want at Chyebassa is another Mr. Pontet, and search should be made for him till he shall be found. It would be a great advantage if this Officer had had a little experience in Military affairs, in which case I would give him a local commission and the Command of the Detachment stationed here.

169. The Medical Officer should, if possible, be a European, covenanted or uncovenanted matters little; both he and the Assistant would then be more contented in their banishment, for banishment it is among a savage disgusting people. When I knew the Lurka Coles many years ago, they had one redeeming characteristic, they uniformly, however much to their disadvantage, spoke the truth, now all those with whom the Authorities come most into contact, lie like other people, while, though ashamed, they, with few exceptions, wear no more clothes than they did when they had yet to learn that something more than a few leaves was customary out of Singbhoom.

170. The Surgeon should have the powers of a Junior Assistant, with the double object of assisting the Officer in charge of the District and giving him interesting employment. I would carry out this plan at once by giving the present Sub-Assistant power to dispose of trifling miscellaneous criminal and civil cases under the superintendence of the Assistant. If my proposals respecting the Colehan and Dhulbhoom be approved, assistance will be greatly required. For performing this duty I would allow the Medical Officer Rupees 50 per mensem and two mohurrirs, one at Rupees 15 and the other Rupees 10.

171. The District is at present in very good hands. Lieutenant Davies is an efficient Officer, and understands all the peculiarities connected with the Office of which he has charge. If the Colehan is to be re-assessed and Dhulbhoom settled, it is most desirable he should remain in charge of the Office till the operations shall have been completed.

172. CLAIMS OF KUNWUR CHUKERDAR SINGH OF SERAIKELA.—The Kunwur of Seraikela, Chukerdar Singh, represented to me that previous to the Cole disturbances several Cole villages belonged to his zemindaree, and not being far from his residence, he was enabled to keep them in subjection, but that when the Government took possession of the Colehan, and Rupees 500 per annum compensation was awarded to the Raja of Porahat, he did not bring forward his claim, in the expectation that when the country was completely quiet the villages might be restored to him; and that he has since abstained from urging his claim for the same reason, but as now, so many years have passed, and hope of the restoration of the villages is as distant as ever, and as he admits, it is not desirable they should be restored, he thinks he has a claim to some allowance. He affirms that Major Wilkinson promised him that his claim should be considered if the lands were retained by the Government, and that the only reason for immediately making an allowance

to the Porahat Raja, and permitting his claim to stand over, was, that the Cole Peers constituted a very large portion of Porahat, and that assumption of possession by Government left the Raja with but little, while the portion taken from Seraikela, was but a small part of his estate.

173. On reference to the correspondence in the office of the Agent to the Governor General, I find that on the 22nd February 1838, Captain Wilkinson wrote thus respecting the Peers taken from the several zemindars :—“ In consequence of the Mohurbunge Raja, Singbhoom Raja, Kunwur of Seraikela, Thakoor of Kursawa, and other Baboos “ being unable to control the Coles in their several estates, and to prevent “ their plundering our territories, and those of zemindars tributary to, or “ bordering on them after repeated warnings that Government would “ take possession of the Colehan, if they could not or would not “ themselves manage them, we marched a force into Singbhoom towards “ the end of 1836, and took possession of the Colehan, the Rajas, Baboos, “ &c., have therefore no claim for remuneration, or for any portion of the “ malgoozaree realized from the Colehan. Indeed up to 1820-21, they “ could recover nothing from the Colehan, and although at that period “ Major Roughsedge fixed 8 annas per plough as the sum that was to be “ paid to the Raja and Baboos, only a very small proportion was collected “ from the northern Peers, and none from the southern.” Captain Wilkinson then proceeded to recommend that Rupees 500 per annum should be allowed to the Raja of Porahat, and Rupees 200 to Gossee Singh, and concluded by saying “ granting these sums annually to the “ Raja and Gossee Singh, might give rise to other claims, and be cited as “ precedents, it is on this account, that it should be distinctly explained “ to them, that the grants were made merely on account of their destitute “ condition, when compared with their rank in society.”

174. The orders of the 10th April 1838, sanctioned the allowances proposed, and it does not appear that since that time either the Raja of Mohurbunge or the Kunwur of Seraikela has preferred any claim. When I was at Balasore, the Raja of Mohurbunge submitted a representation to the same effect as that now brought forward by the Kunwur of Seraikela, and seeing that Rupees 2,925 per annum, or more than one-third of the revenue of the whole Colehan, is collected from the four Peers, which previous to 1836, comprized portion of the Mohurbunge Raj, the territory which he then lost, is no considerable possession; but the Government may say that it was very far from their wish to have any connexion with the Colehan, that it was forced upon them

by the weakness, incapacity and misconduct of the zemindars, which rendered the occupation of the Colehan by the Government absolutely necessary to the peace of the country round, and that instead of being any gain, the occupation of the Colehan has been yearly a source of expense, that there is no prospect of the proceeds of the Colehan ever meeting the expenses of the most economical arrangement, and that the Government would readily at once withdraw from the Colehan, and allow the zemindars to resume possession, if it were not certain, as admitted by themselves, that renewed disturbances would be the certain consequence, that, with reference to these circumstances, the claims are inadmissible and never will be considered under any circumstances at any future period.

175. Chukerdar Singh also represented to me that his ancestors had been recognized as Raja by the highest Authorities, and that though he and his father had not thought fit to urge the claim, they never had relinquished it ; he at the same time produced purwannahs addressed to his great-grand-father by Lord Wellesley and Lord Minto, and Sir George Hewett, in which he is styled " Raja," and recognized as one of the staunchest friends of the British Government. This attachment to English interests has been handed down from father to son for many generations, and the present Kunwur holds a most flattering testimonial from Major Wilkinson to the conduct of his father and himself. His father sacrificed his life in upholding the interests to which he was attached ; for Major Wilkinson says, that exposure with him in the field, caused his death.

176. On reference to the Governor General's Agent, it appears that a claim of this nature has never before been preferred by the Kunwur of Seraikela. There is no doubt, that Lords Wellesley and Minto addressed his great-grand-father as a Raja and an equal, but such letters cannot be regarded as conferring a title not before possessed ; and as he confessedly is a younger branch of the family of his near neighbour, the Raja of Singbhoom, recognition of this claim might increase the enmity already existing between them. It must, at the same time be stated, that the Kunwur of Seraikela has long been the most influential person in Singbhoom, and now, both from the extent of his possessions, and his personal character, commands much more respect and influence, than the head of the Porahat branch, styled the Raja of Singbhoom.

HENRY RICKETTS.

*The 31st January 1854.*

## MEMORANDUM OF PROPOSALS CONTAINED IN THIS REPORT.

- PARA. 17. That in the Colehan, the Office of Mankee should be considered hereditary only in the case of the heir being the person best qualified. Should he not be the best qualified, a new Mankee to be elected by the people and approved by the Assistant. That minor Mankees should be regarded as the wards of the Assistant, and always as a matter of course be brought to Chyebassa to be educated at the Hindee School. That an allowance of Rupees 5 per mensem be given to one of the Dhobassias for the care of minor Mankees at Chyebassa.
- „ 20. That if the Coles show any inclination to forward and assist the work, a few hundred Rupees be laid out in opening fine weather roads in the Colehan.
- „ 39. That if the Mankees and Moondas of a division will agree to pay Rupee 1 where they now pay 8 annas, and will bring the ryots and take pottahs, that this offer be received and leases given to them for 12 years.
- „ 41. That where the Mankees and Moondas are unwilling to enter into the above terms, inquiries should be made and their lands assessed at Rupee 1 per plough.
- „ 45. If it be determined to metal the Cuttack road, that inquiry be made whether the stone and gravel of Dhulbhoom, cannot be made use of to advantage by bringing it down the Sabenreeka to Rajghat.
- „ 51. That a small sum be expended in working for a short period one of the Dhulbhoom Copper Mines, in order thoroughly to test the produce, and to show the people of the country how to turn the veins to the best advantage.
- „ 66. That Pergunnah Dhulbhoom should be measured and the interests of all adjusted under the Provisions of Regulation VII. of 1822.
- „ 70. That the expenses of making the settlement, be advanced by the Government on the security of the Pergunnah, if the Raja cannot afford the expense himself. That the Assistant be directed to pass at least one month of each year in Dhulbhoom till the work shall be finished.

- PARA. 73. That an Officer be appointed to superintend the settlement on a salary of Rupees 100 per mensem, and 20 Ameens at Rupees 10 each.
- „ 77. That the Abkarree of Dhulbhoom be transferred to the Principal Assistant at Chyebassa.
- „ 84. That a few concise rules of procedure be drawn up for the guidance of the Principal Assistant in civil cases.
- „ 99. That for a time an addition of 50 men be allowed to the guard at Chyebassa and 12 sowars stationed there.
- „ 102. That it should be declared, in a few concise rules, what cases the Singbhoom Chiefs were to dispose of themselves, and what cases they were to send to the Assistant stationed at Chyebassa, and that the Chiefs should be directed not to send to the Assistant cases which they are authorized to dispose of themselves. That if unable or unwilling to perform the duty a Chief should name a Deputy. That the Chiefs be allowed to pass sentence of three years' imprisonment. That it be intimated to them, that if crime is concealed in their estates, Police Officers will be appointed by the Government.
- „ 104. That the Dhobassia or interpreter Chuprassees be increased from 9 to 16.
- „ 106. That two Dhobassia Chuprassees be periodically deputed to visit the Cole Pergunnahs.
- „ 117. That for the present, the Police should remain in the hands of the Raja of Dhulbhoom.
- „ 119. That a Jemadar and four Burkundauzes be appointed as a Police for the town of Chyebassa.
- „ 120. That the Assistant stationed at Chyebassa be always ex-Officio Assistant to the Superintendent of the tributary mehals of Cuttack with jurisdiction in Bamunghattee, and the North Pergunnahs of Keongur.
- „ 121. That the Police report forwarded by the Assistant, be less voluminous.
- „ 124. That the Kutcherry house of the Assistant at Chyebassa, be improved.
- „ 125. That the building, formerly the Sepoy Hospital, be converted into a circuit house for the Governor General's Agent.

- PARA. 128. That the Sunday feast of the prisoners in the Jail, be stopped.
- „ 130. That improvements should be made in the Jail. That more than 250 should not be confined in it.
- „ 133. That a fair weather road be opened from Midnapore to Chyebassa.
- „ 139. That fair weather roads be opened from Chyebassa through Burra Bazar to Bancoorah, from Chyebassa to Purulia, from Chyebassa to Chota Nagpore, from Tamar through Dubba to Bancoorah.
- „ 140. That a fine weather road be opened from Kyparah in Cuttack to Chyebassa.
- „ 146. That the establishment at Chyebassa be increased, as at present it is quite inefficient.
- „ 152. That instructions be issued to the Assistant at Chyebassa, to make very careful and formal inquiry whenever it may be represented to him, that the Raja of Keongur or Mohurbunge has demanded transit, in order that effectual measures may be taken for putting a stop to such exactions.
- „ 158 and 159. That the three Bengalee Schools in the Colehan be closed, that the Bengalee School at Seraikela should be a Hindee School, and that a thoroughly efficient Hindee School be established at Chyebassa, that the sons of Coles, unwilling or unable to pay, be supported at the School.
- „ 161. That the runners be taken off the road from Chota Nagpore to Chyebassa and placed on the road from Purulia to Chyebassa.
- „ 165. That the Zemindar of Dhulbhoom be directed to make efficient arrangements for the conveyance of the District Dâk, on pain of runners being appointed by the Assistant at his cost.
- „ 166. That the Governor General's Agent be directed to visit Chyebassa once a year.
- „ 168. That if no other remedy to prevent the constant changing be practicable, an Uncovenanted Officer should be placed in charge of the District.
- „ 170. That the Medical Officer be vested with authority to try trivial cases, with an allowance of Rupees 50 per mensem and Rupees 25 for establishment.

PARA. 174. That claims preferred by the Mohurbunge Raja, and the Kunwur of Seraikela for compensation, on account of their respective portions of the Colehan, held by the Government be rejected.

HENRY RICKETTS.