

to enquire into the system of purchase and sale of commissions in the army, report that "a system of periodical inspection by officers specially appointed for the purpose, as is practiced in the French army, would probably be found a beneficial measure, tending to give confidence in the fairness and impartiality of the reports; and though such inspection could not be applied to regiments abroad, the object might be attained by other means. A board of general officers might be constituted, under the name of *inspectors-general*; some members of this board should retire annually and be replaced by others, so that while an uniformity of

The evidence of Sir Thomas Munro before the Select Committee of the House of Commons on 12th April, 1813, was as follows:—

Q. "Did the military character of the sepoy corps in the French service in India stand as high, and were they as efficient in the field as the sepoy's corps in the Company's service?"

A. "The military character of the sepoy corps in the French service was very low, and they were by no means so efficient as the Company's sepoys; I should suppose that one regiment of the Company's sepoys would have dispersed three or four corps of French sepoys, and I am convinced that this superiority in the Company's sepoys has arisen entirely from their considering themselves as a part of an European army; the officers by whom they have been trained were bred in European regiments; after serving a certain time in European regiments, they were appointed to sepoy corps, and after remaining with sepoy corps some years, they were afterwards sent back again to command European regiments, or to serve in them, so that there was no distinction in the European officer whether he was with a sepoy or an European corps; the Company's sepoy considers himself as forming an integral part of the British European army, and it is from that he derives his high character and confidence. By a separation of the European infantry, he would regard himself as no better than the common militia of the country; it would be impossible to maintain anything like equality in an army divided into two branches, in one branch of which the officers should be exclusively employed on all distinguished occasions, and the officers of the other branch excluded from having an opportunity of distinguishing themselves; without equality there can be no such emulation as there ought to be; among military men there must be something like equality to maintain it; in place of emulation we should have jealousy. Our military establishment in India should be formed upon principles which, while they extinguish all jealousy, should kindle and keep alive emulation."

The Europeans in the Company's services have never failed. No regiment in the world is more distinguished than the 1st Madras Fusileers, whose leader, Neill, saved Benares and Allahabad, and thereby secured the turning-point of the rebellion, though his real merit and share in the salvation of the empire is not yet justly understood, much less acknowledged; while the men themselves have been the admiration of the army in every duty undertaken by them throughout the war.

Sir John Malcolm's evidence before the Select Committee of the House of Commons, on 7th April, 1813, on this point, was as follows:—

Q. "Have the Company's regiments of European infantry been found equal to the performance of services required of European troops?"

system is maintained, the impartiality resulting from a change in the inspectors may be secured. This board should personally inspect the troops in Great Britain and Ireland; they should also require from general officers commanding on foreign stations, such arrangements as they might deem essential for acquiring an intimate knowledge of the merits and capabilities of officers serving abroad. Such a system would, it is believed, remedy some defects which are found in the existing mode of inspecting regiments, and it would gradually collect information, which would assist the commander-in-chief whenever it may become his duty to select an officer for the command of a regiment."

A. "I believe they have on every occasion. I never heard of their failing to distinguish themselves when an opportunity was given.

Q. "Would it be advantageous in a military point of view, as well as with a view to economy, to have the regiments of Europeans in India completed by filling up the casualties with recruits, or to have them occasionally retained by entire regiments?

A. "It, no doubt, would be most economical to have them filled up with recruits, and the regiments would always continue more efficient; as any new regiment coming entire from England is unfit for service for, I may say, a twelvemonth at least."

The advantage of having a body of European troops on the spot already acclimatized, in preference to, or in aid of troops fresh to the country arriving in entire regiments by a system of reliefs, is pointed out in the same evidences. And I believe that if the steadiness of the Company's Europeans, accustomed as they are to the country and the inhabitants as contrasted with the conduct of the Queen's regiments lately poured into Calcutta, the comparison will be in favour of the former; and I am informed that though the Queen's regiments have come into the field numerically stronger than the Company's regiments, yet, after a brief period of service, the men of the latter arm have been found the better able to stand up against heat and climate. And it stands to reason that this should be so.

The evidence of Sir Thomas Munro before the Select Committee of the House of Commons, on 12th April, 1813, was as follows:—

Q. "Would any advantages result from filling up the casualties in European regiments in India with recruits from Europe instead of relieving entire regiments?

A. "I conceive that very great advantages would result from such a practice, because by sending out recruits only you have always veteran regiments; the recruits, upon their landing, are thrown into old regiments who are acquainted with the mode of living in the country, and the recruit soon becomes a perfect soldier; by sending out entire regiments, however excellent the officers may be, from their not being acquainted with the manners of the country and with the modes of living, a corps, upon its first arrival, and sometimes for one or two years afterwards, is quite inefficient if it is sent to the field, and is rather an incumbrance than an advantage to the army. There is, likewise, by the system of sending out recruits, instead of whole regiments, a considerable saving, not only in expense, but likewise in the lives of men; for when regiments are sent out in a body, from their inexperience in the country mode of living, a much greater proportion of them die than among those recruits who are thrown into old veteran regiments established in the country."

This portion of the report is based on the evidence of His Royal Highness the commander-in-chief, who pointed out that the system of inspection of regiments was, of his own knowledge, "very unsatisfactory," but that there has been very great difficulty in "carrying on the inspection, because, from the mode in which our army has been divided and situated, the inspecting officer has not had that constant intercourse with the regiments that he has inspected, which" His Royal Highness considered "is essential, in order that he may give a really candid statement of the services of the officers who are under his command." The "system which is now introduced of brigading regiments, and having them in divisions, will," in the opinion of His Royal Highness, "materially improve the system of inspection." "The arrangement is that the brigadiers make their inspections. Those inspections are further made by the lieutenant-generals generally; and they have to give their opinion to" the commander-in-chief, "whether the reports of the brigadiers are such as they concur with or not: so that it now is almost a double inspection and muster twice a year." Previously to the present system being introduced, the inspections "were much more cursorily made than one could desire, or than the officers making them would have wished;" and in reply to the question, "Has your Royal Highness ever considered the system of inspection in France?"—A. "As I understand, there are several officers who go at one and the same time and make their inspections together. No doubt that would be a very good plan. But at the same time I am not sure that what we are now trying does not almost amount to the same thing. Virtually there will be a double inspection in every case where the army is brigaded and in divisions." His Royal Highness had no doubt of the "importance, if any weight is to be attached to the reports of the inspectors, that every security should be taken that these reports are perfectly fair;" and he thought that "it would be an advantage that a regiment should be inspected by different men at different times;" and he thought that "a change in the inspectors is a good plan for getting reports on which the commander-in-chief can rely;" and to the question, "Does the system, as it works in this country, secure that change?" His Royal Highness answered, "I am in hopes that what is now introduced will in a great measure secure it;

but there again, I may observe that it has been so lately introduced, that it will require some time to see how it works. Still I think that we have an advantage now that we had not before." His Royal Highness also observed, that he apprehended there would be a change in the inspectors, as "we must move the regiments constantly; they would therefore be put into different divisions from time to time; we should thus obtain from time to time reports from a variety of general officers," and he thought that the "improvement now in course of consideration, with respect to the inspection of regiments, would give the commander-in-chief more means of distinguishing between the fitness and unfitness of officers."

The commissioners for reporting to the best mode of re-organizing the system of training officers, state that there "has been created in Austria, very lately, a separate corps of adjutants or aides-de-camp, who are charged with the administrative duties, such as inspecting the bearing, equipment, carrying on the discipline, &c., of the troops."

This consists of

- 11 Generals.
- 18 Lieutenant-Colonels.
- 18 Majors.
- 58 1st Captains.
- 10 2nd Captains.
- 10 1st Lieutenants.

The system of inspection to be devised for the Indian army should, therefore, be of such a nature as to enable the authorities, both in India and England, to ascertain with precision the real state of the military forces and establishments at any period. A separate body of inspecting officers is essentially necessary to this end; their reports being drawn out under well-defined orders, particularizing the various heads of enquiry. These inspecting officers should not have any power or authority to give orders or make changes, but only to report fully, and make suggestions for improvement to the highest authorities. They should be enjoined to avoid all interference, and, indeed, all communication, with the military authorities on the subject of their enquiries; and in order to prevent partiality, and ensure information from



numerous channels, it would be advisable to make frequent changes in the inspecting officers. By means of regular reports of this kind, Government would, in a few years, be in possession of the fullest details connected with every portion of the military establishments, and consequently enabled to rectify any defects that might become apparent.

As to the second, the power of veto, we have also the testimony of His Royal Highness the commander-in-chief, which I have abstracted.\*

\* Q. 4183. His Royal Highness considers that it would be more satisfactory to the commander-in-chief, if it was generally acknowledged that he had the power to veto, because although it exists, it is very rarely evinced, and leads to a great deal of difficulty and disagreeable feeling. Is decidedly of opinion: that if public feeling were to support the commander-in-chief in the exercise of the power of veto, he might evince it with great benefit to the army, and without injustice to individuals.

Q. 4186-91. His opinion is most decided that the power of vetoing is much more easy to evince than the power of selection, but does not think the consequence of the veto must be selection. Thinks cases may occur in which a man has some notorious defect; for instance, for want of temper, understanding below the average, and in such cases would have no difficulty in saying, "There is nothing against your character, but you are unfit from natural defects, and therefore you cannot be promoted;" such, at present, is the power, but it is not exercised. There has been no instance of its exercise in the time of His Royal Highness or Lord Hardinge, and it would be extremely difficult to exercise it now in the present state of feeling.

Q. 4192. Thinks that if the inspection returns were satisfactorily made, there would be no difficulty in the commander-in-chief knowing whether an officer's promotion ought to be stopped or not; but considers that unless the power of veto be backed by public opinion, no man could exercise it; considers that the commander-in-chief could not exercise the power of selection.

Q. 4193. His opinion is very decided that the power of selection is impossible, whether it is to be exercised by a military man or civilian, and thinks that no man having that power would hold his position for six months.

Q. 4194. Considers that, constituted as the army is, and scattered over the face of the globe, no man can frame a standard of selection.

Q. 4195-6. Considers that a standard of veto could be made by "personal incompetency," which would appear and be reported from any part of the world, while the standard of merit might not show itself at all, and yet it might exist.

Q. 4197. Thinks it would be easier to veto the promotion to a majority of twelve captains, than to select one of those twelve as better than the rest.

Q. 4198. Thinks it would be a very delicate thing for an inspecting officer to say that one man is pre-eminently superior to all the rest.

Q. 4199. Considers that a system of selection would cause ten times as much heart-burning as the system of purchase.

Q. 4200. Does not see how a man selected upon no sufficient grounds, could be placed over the heads of others.

Q. 4214-20. Thinks that the system of selection would act very unjustly on

The power of veto, which His Royal Highness the Duke of Cambridge proposes for the Royal army, is peculiarly applicable to the Indian army; and it should, in order to be really efficient, commence at an early period of service, since a few years generally suffices to make known the character of every officer.

At the expiration of ten years, therefore, further advancement might be stopped on the ground of well-known and fully-proved incompetency, and so on at more advanced stages of service; and at the end of thirty-five years' service, every officer should be struck off the strength of his regiment, leaving it to Government to select him for special employment, if considered advisable. Of course, at any period after ten years, officers should be allowed to retire on suitable pensions, and if remaining as long as thirty-five years, the pension should be increased to £600 per annum, as in the Royal artillery and engineers. This change might be made without entailing too heavy a burthen on the finances of India, since we find by Sir Charles Trevelyan's evidence, (4465 of the Report of the Commission on Army Purchase,) that the per-centage of non-effective officers of the Indian army is far below that of any of the branches of the Royal army; and the average charge of each non-effective is further considerably below that of non-effectives in the Royal artillery and engineers, which, like the Indian Service, are seniority corps.

The last topic on which I think it needful to add any observation is that of a separate staff corps for India. During my residence in India, I have seen various schemes and propositions put forward on this point, but have observed that they have been invariably met by a denial of their practicability. The question

officers serving in the West Indies and the Colonies, performing very painful duties; they would lose all chance of selection, though, perhaps, pining to be employed on active service before the enemy; while other officers on active service, who would have greater opportunities of distinguishing themselves, would, under the selection system, be promoted by the commander-in-chief, backed by public opinion. There is always a great deal of promotion in regiments in time of war, and, in addition to this, war promotion; the officers on active service would reap all the benefit of the selection promotion; this would inflict upon officers serving in the Colonies the disadvantage of being put wholly out of consideration, and the promotion of regiments in the Colonies would be as good as stopped when compared with those on service, where the vacancies are few as compared with the regiments actually engaged in war.

was raised and discussed with much ability, and an intimate knowledge of military detail, in the "Madras Athenæum" of 1854, and the "Friend of India" took up the discussions in the same year. For my own part, my opinion has oscillated backwards and forwards, and varied much from time to time in favour of and against the measure. That the scheme is not practicable I never could allow; whether it would be attended with advantage to the army if carried out is a more difficult question. Recent events have, however, furnished us with one very powerful argument against introducing any entirely new system. The success of the Indian staff in conducting all the duties on which depend the efficiency and safety of armies in the field has been beyond all question. We have not witnessed in India the repetition of such scenes as marked the earlier period of our struggle in the Crimea, and as have always attended the awakening of England from times of peace to those of war. Our troops have been moved and provided for with despatch and plenty. Mr. Russell's letter to the "Times" expresses the astonishment of the Crimean veterans at the difference between the accommodation provided for them in this country and in the camp before Sevastapol. Our staff has had no apprenticeship to go through ere it was master of its trade: no lamentable noviciate which practised on the *corpus vile* of the common soldier. The emergency was sufficiently sudden to apply the severest test to the system; and with all the strains upon it, it has not broken down. Far from it, its success is beyond all question. It is said, I know, that the comparison is not fairly instituted, for that the circumstances of the two cases are not parallel; that in the Crimea we were in an enemy's country, far from our own resources; that here we had the civil power to assist the military in finding means of transport and the like; that in Afghanistan our commissariat broke down, and that it would have done the same in the Seikh war but for Jottee Persaud; but in the Crimea we had a seaboard close to the scene of action, and in the north-west the country was in a great measure that of an enemy. But we are not, let us hope, likely

\* A mass of valuable statistical information will be found in the papers in the "Athenæum" by those who are on the look-out for facts and figures.

to require an Indian army for foreign conquest hereafter; and for operations within our own confines, even under the most adverse circumstances, it is certain that the staff, on its present organization, has answered its intended object. It is better, therefore, to improve our existing instrument than to seek to supersede it by the introduction of a new, which must be experimental, and may be a failure.

The organization of a separate staff corps for India, therefore, appears to me to involve many grave questions requiring the mature consideration of Government. In the East, a man of tact and judgment will often prove of inestimable value to the State in time of emergency; such a character will make an impression on the minds of millions of Asiatics, where a man of mediocre talent would be found useless, nay often worse—an incumbrance; but the fact of certain officers being specially set apart for staff duties, must often entail on Government the retention of many of moderate ability, and necessitate their employment on duties requiring peculiar minds, when those best fitted would only be obtainable from extensive numbers. The climate appears also to oppose the formation of a distinct corps of officers for the staff duties, unless ample provision be made for numerous absentees leaving India on account of ill-health and on visits to their native country.

The withdrawal of officers from regimental duties has been objected to mainly on the ground of causing the regular army to be inefficiently and insufficiently officered, but this serious defect is not to be remedied by prohibiting the withdrawal of all officers, but rather by properly regulating the numbers and grades to be withdrawn for staff employ, at the same time allowing an ample number for regimental and also military duties;\* nor is the employment of officers on staff and detached employ the only drain on the effective strength of the army, for the number of officers on leave, on sick certificate, both in Europe and in India, often occasions as many vacancies to the commissioned ranks as the numbers withdrawn for staff and detached employ. The remedy is therefore for Government, whilst selecting the most competent

\* Attention may well be directed to the system of "seconding," which has been found to answer admirably in the ordnance department of the Royal army, comprising some 800 officers, who rise as in the Company's service, by a system of seniority.

officers for the more difficult kinds of employ, to take care that sufficient inducements are given for good officers to remain with their regiments, the absolutely incompetent officers being disposed of by means of the veto power, and a sufficient number of regimental officers being allowed to provide amply for contingencies of sickness, absence on leave, and the inexperience of young officers.

The necessity of dismantling the forts and strongholds of petty chieftains; of holding the central points of strategetic combinations by strong forces; of having all arsenals, depôts, and stations well fortified and garrisoned; of massing and brigading our troops, instead of scattering them in infinitesimal fractions over an immense area; of availing ourselves of a system of railway and electric telegraph to consolidate our military power;\* of keeping the science of great guns and the knowledge of the use of the minié rifle to ourselves; of having active men in command; of guarding against the emanation of a spirit of jealousy between the Queen's and the Indian armies by any undue favoritism; and of promoting a generous spirit of emulation among men of all arms, are all so obvious that they need only be mentioned in a paper already run to a totally unexpected length, on a topic so much more within the province of others than that of the present unprofessional writer.

\* Had the last few years been energetically employed in developing that scheme of land and water communications which Colonel Arthur Cotton showed to demonstration were the prime necessity of this country, instead of dawdling over those costly playthings—our high-speed first-class railways; had river navigation been improved in the Indus, the Godavery, and the Ganges, and with Bourne's flat-bottomed steamers in full play, what vast facilities should we have possessed, even during the rebellion, of hastening forward men and munitions of war to points threatened or attacked. But it is the character of the Englishman to be ever wise after the event.

## CHAPTER V.

### TOPIC 8TH.

#### *VIII. What shall be the form of the Home Government of India?*

As "Double Government" has been already condemned by the nation and Parliament, I have struck out almost all that I had written in favour of the abolition of the Court of Directors and Board of Control.\* There is no use in thrice slaying the slain; and it is not my disposition to insult the fallen. It is wise as well as manly "*parcere subjectis*," however prone we may have been "*debellare superbos*." Besides, the East India Company has done much good in its day; it was a mighty institution, and although it has been put away because it had survived its objects, and was unsuited to the exigencies of the present day, Englishmen may be proud of its power, though they may not admire the means by which that power was attained. So far, therefore, as the past is concerned, I might leave this chapter a blank; and even as it is, I have but little to say. It is principally as regards the future that I touch on this topic at all.

We may rest assured, that the work which lies before us is

I had at first written fully on this topic, but Lord Palmerston's Bill and the discussions in Parliament rendered much that I had noted down out of date; I therefore altered the chapter to its present form. Scarcely had this been done, when news of the change of ministry reached India. Had the fall of Double Government been the less certain on account of that change, I should have felt it incumbent upon me to have entered on the discussion of this question at large. The evils of Double Government, as they affect administration *at home*, are so thoroughly known, that I have not thought it necessary to say much regarding the delay, the expense, the irresponsibility, which this form of Government necessarily causes; my observations are chiefly confined to the operations of Double Government on administration *in India*.

more calculated to task our energies and our wisdom, than even that rebellion which we are now extinguishing. We have our power to consolidate; a suspicious disaffected body of subjects to re-assure; whole kingdoms to re-organize; sweeping reforms in revenue and justice to introduce; provinces to re-settle\*; the strictest economy to practice; to recruit our finances without wringing the people; to recommence "public works;" to re-establish our credit, moral and pecuniary; to foster education; and we cannot have instruments in too perfect order, or agents too capable, for such mighty work, before which the very hearts of most men might well quail. And therefore we may well rejoice at knowing that though India must practically be governed *in* India, our working gear at home is in order. Just as sailors knock down all lumber, and even ornament, when they clear the decks for action, we have acted wisely in pitching "Double Government," that "*fons et origo malorum*," into the hold, at a moment when we must have nothing to obstruct our view, or hamper our exertions. Enough has been said in Parliament upon the general inexpediency of the old Home Government, which, by-the-bye, was not objectionable *because* it was a Double Government, but because it was a *bad form* of Double Government. The arguments drawn from analogy were, therefore, all worthless. England, it was said, had even a triple Government—Queen, Lords, and Commons; but independent of the answer that those form but one body, the general result of these parties checking each other is, on the whole, responsibility to the nation. The checks of the component parts of the Indian Home Governments upon each other, if, indeed, the directors had any power of check at all, resulted only in delay and irresponsibility. The expense, the procrastination, the immunity of the particular "Double Government" which ruled India, has been thoroughly exposed. Indeed the amendment of Mr. Baring virtually admitted the inherent viciousness of the system. "Single-speech Hamilton," who, like the sailor's parrot, if he did not talk much, was an awful thinker, compressed his experience of forty-years' Parliamentary tactics into a work, which he called "*Parliamentary Logic*;" a volume which may be said to comprise every sophism

\* The records of the revenue settlement in the North-West are stated to have perished during the rebellion.

conceivable, in five hundred and fifty-three aphorisms, reducing to theory the corrupt practices of Bubb Doddington. This Parliamentary Machiavel tells us, that when no other topic of objection can be discovered against a measure, its opponents *must* resort to what Bentham calls the "Procrastinator's argument:"—"Wait a little, this is not the time."

It becomes unnecessary, also, to consider here more than cursorily the Company's defence, which is set forth in its petition to Parliament, and the supplementary "memorandum of improvements in the administration of India during the last thirty years." The latter of these two documents, it may be observed generally, is a transparent specimen of a very ordinary fallacy; that of stringing together all that is worthy of praise, omitting all that is worthy of blame. Mr. Kaye and other encomiasts of the company have rendered us so familiar with this sophism, that its only merit—that of novelty—having ceased to charm, the custom stales upon and wearies us. It was thus that Lord Dalhousie composed his celebrated retrospective minute. It is thus that Lord Harris might, at the expiration of his Government, make a seeming-show of great reforms, though the general character of his tenure of office has been stagnation. Without examining the memorandum in detail, it will suffice to say that many of its statements are grossly inaccurate. I will only instance one, which I shall have to refer to again. In page 26, the directors take credit for the abolition of the moturpha in the Presidency of Madras. It has never been abolished, but is exacted to the present day, on "the old woman's apple stall and the barber's razor." The best answer and antidote to this memorandum is Mr. Ludlow's second volume of his "British India."

The Company's petition, too, appears to me to have been singularly over-rated and over-praised. I have studied it attentively, and cannot see why it has been termed one of the "most remarkable state papers that ever emanated from a public office." It is clever; it is nicely written. Its English is very immaculate; and it may be very good policy in the Directors to declare that it is unanswerable, and the like. I am very sure I could answer it more unanswerably still, paragraph by paragraph, and, as it is, it has been pretty well pulled to pieces in



Parliament. When I see it so puffed, I think of Dickens' Yankee, who designated every one of his countrymen that chanced to be spoken of as "one of the most remarkable men of his age."

To constitute a really great state paper I conceive that something more than cleverness and correct English are necessary. It should be based upon facts; it should not be egotistical; it should be calculated to meet the object it has in view. In all these three, if, indeed, conviction and not deception was the object of the petition, I conceive that it signally fails. It would take a pamphlet to examine the petition at large; I can only suggest a few general cursory remarks. As to its facts, it starts with a statement which every one knows to be untrue. India was *not* acquired by the petitioners "at their own expense," or subsequently maintained "without the smallest cost to the British Exchequer." Whether the East India Company's Government has been "one of the most beneficent in act ever known among mankind," let the unanimous condemnation of its policy by independent bodies of Englishmen in different parts of India, let the native petitions from all the Presidencies, let the Calcutta Missionaries' petitions, and the Torture Report testify. Let the same testimony speak to the claim of the Government to be considered, as "in all departments, one of the most rapidly improving in the world." As to how India regards the Government of the East India Company, let Mr. Halliday's statement, that they believe India is "Ijrach" or *farmed out* by the Crown to a joint stock company, and that the present plan has the appearance of a "shan," reply;\* and as to the assumed effect to be produced upon the people by the abolition of the Company I will add my own unqualified contradiction.

See Halliday, 2 rep. H. of C., Q. 4059-78; 4135-38; 4144-50; 4174. See also Lord Ellenborough, H. of C., 18th June, 1852, Q. 2305. Marshman, ib. Q. 4655-6. Sullivan, ib. Q. 5010.

Mr. Halliday's evidence is so important that it may be well to extract a portion of it.

Q. 4059. "You used the expression, 'Farming the Government;' do you think the people of India believe that the Government of India is farmed to the Company, in the same sense that the taxes were farmed at the period you allude to? They use precisely the same word in speaking of the renewal of the charter. They will talk with you as to the probability of the "Ijrach" or "farm" being renewed, and, as far as I know, they have no other term to express it."

Q. 4063. "As they become more and more enlightened will not the mischief,

Mention the substitution of the Crown for the Company to a native and his eyes sparkle at the bare thought. Sir Erskine Perry told the House of Commons what alarm the Cingalese expressed at the mere idea of being transferred to the Government of the Company. The assertion that there has been "indiscriminate animosity towards the natives on the part of the Englishmen in India" is untrue. The "Englishman," which is the organ of the independent English community in Calcutta, has, from the first, steadily ignored such mistaken policy. Of the whole Indian Press, but three journals have counselled "indiscriminate" vengeance. Whether the Company has "governed India for India," or for the Company, is a matter of opinion. Those who bring forward the *words* of the Directors will establish the affirmative; those who look to their *acts* will come to a contrary conclusion. Intentions we may make the Company a present of, for what are they worth. As to the statement that "in no Government known to history have appointments to offices, and especially high offices, been so rarely bestowed on other considerations than those of personal fitness," I can only say that I believe in no country in the world is "Dowbism," in both civil and military appointments, so rampant. Let the son of a Director and an outsider from the "middle classes"—the son of Smith, the saddler—come into competition for office in India, and every man knows which will obtain the appointment. Let the second cousin, twice removed, of some needy nobleman come out with the only outfit his noble relations are likely to give him, a few letters of introduction with coroneted seals, and see how soon he jumps into command of an irregular corps of cavalry, or a snug staff appointment, while Jones, Brown, and Robinson, the "refuse," remain with the regiment to be slaughtered by their sepoys. So much for accuracy of statement.

Another large class of sophisms which runs through the petition, is that of making a virtue of necessity; claiming credit

which you consider arises from their notion of a farm disappear of itself? It may, in that sense, no doubt, and does; and yet there arises a proportionate weakness to the Government, from their seeing that the body held up as their apparent governors are not their real governors. Without wishing to speak irreverently it has somewhat the appearance of a sham."

for improvements which have been forced upon the Company, and for lines of conduct which they could not avoid. Under this head falls the patronage cry. The Company has chosen from the middle classes, because they are themselves of that class; and in providing for their own relatives, friends, and dependents, they could not do otherwise. India has not been hitherto coveted by the aristocracy as a field for its offshoots; but I am not aware that the Directors have virtuously withstood the solicitations of any "bloated aristocrat," out of a sense of duty to provide for the "middle classes." Under this head falls the claim of merit for fostering railways, education, &c. The truth is, that like a sturdy beggar, who will go as far as you kick him and no further, every one of these improvements has been wrung out of the Directors by pressure from without. The press and the Parliament have to be thanked for the contents of the "Memorandum of Improvements"—not the East India Company.

The egotism of the petitioners lies veiled under a very flimsy mock-humility. They alone are the repositories of all knowledge: their advice alone is worth hearing; they alone can be safely trusted with India; they have done everything for India; their intentions are the purest; their deeds the most benevolent; their reformatory action the most rapid in the whole world; they are so beloved by the people of India, that Heaven alone knows what will be the consequence of abolishing their rule; they are so disinterested, that to no one else can be confided the dispensation of patronage. The talking bird and golden water are in safe custody of a terrible wizard on the top of a perilous mountain; all those who attempt to reach them, as in the story in the Arabian Nights, shall be turned into black stones. There are plenty of mocking voices, it is true; but a few have at last stuffed their ears with *cotton*, and succeeded.

On the other hand, their abuse of everybody but themselves is most lavish; and herein I conceive the petition is singularly wanting in judgment; for what is so likely to irritate Parliament, and array public feeling against the petitioners, as "indiscriminate" abuse? Their independence of Parliamentary and party influence (as if the two were the same!) has been "happy." The most disastrous results are to be anticipated from Parliamentary interference; India will become the "shuttlecock of

faction." I would rather hope that it may become the neutral ground where party-spirit may for once be laid aside, and all adopt a common "lingua franca;" but this I feel well assured of, that whatever be the spirit in which Indian affairs are debated, India must be the gainer by constant Parliamentary ventilation. As to other "bodies and individuals" who may venture to suggest anything on Indian topics, they are "entirely ignorant of the country, or know only enough of it to impose on others who know still less than themselves;" they are "self-interested;" they have "very frequently objects in view other than the interest or good government of India," &c., &c. This has been the constant cry of the Company as long as I can remember it. If a lawyer rose up, he was a tempter; he was "venal" and full of quibbles; wedded to the narrowest prejudices; only able to take a lawyer's view of the case, not a statesman's. He was a miserable special-pleader—a pettifogger; he sought to open out vast fields of litigation for his own peculiar advantage; his experience was confined to Calcutta or Madras; he could not judge of the "patriarchal" system of administering justice in the Mofussil, or non-regulation provinces; his aim was to let in a flood of technicalities upon the unfortunate inhabitants of the interior. He set out on his selfish mission of reform with "Chitty on Special Pleading" in his hand; he was, perhaps, the most dangerous of all would-be reformers; certainly he was the most noisy, and the least to be trusted. If men, full of experience from the Mofussil, the missionaries, who had wandered from village to village with the Bible in their hand, came forward to bear witness against the state of society, in Bengal for instance, under the Company's rule, their statements were exaggerated, though it was conceded that they were conscientious; their position unfortunately forced them to take a one-sided view of affairs; their request for enquiry was superfluous, because it would only excite angry feelings among the people, and the time for *action* had already arrived. That device, be it remembered, is the last shift of the delay-monger. The *time for action*, not *action itself*, has arrived. Therefore let there be no enquiry; and enquiry is accordingly put aside, while no *action* follows. The worthy complainants are sneered at by the Court of Directors, and their testimony is got rid of. If the independent merchants and capitalists of Bengal assert that the

Indian Government has displayed such vacillation and imbecility, and such a wilful determination to ignore the true character of the rebellion, as to justify a petition for the recall of the Governor-General, they are "factions," they are "un-English," "unprincipled Europeans," "malcontents," "malignants." If the press exposes jobbery, or imbecility, or arrogance, the editors are "un-English;" they are "bullies;" they traffic in "misrepresentations," in "recklessness of assertion," in calumny; they are half-educated, broken-down adventurers, cashiered from the army, or earning a shameless livelihood after mercantile failure or a passage through the Insolvent Court; in short they are—Indian editors. If the natives of all three Presidencies come forward with charges precisely similar in their general nature, and point out such instances of miscarriages of justice, over-assessment, infamous police, extortion, insecurity for life and property, torture and the like, as, if true, are conclusive as to the miserable condition of society, these natives are the mouthpiece of the Presidency towns, not of the people at large; they are but the merest fraction of the millions of the East. The petitions are not their own composition. They are written behind the screen by Europeans; they are principally composed in London. The natives do not know what they are made to talk about; they are very far from wishing any such changes as the prayers of their petitions indicate. If a society is formed in England for the promotion of Indian reform, its members are "Sciologists;" they are demagogues; they are place-hunters; they have no accurate information; how should they? They have never travelled in India, much less had any experience from official employment. The only perfectly disinterested body, singularly enough, is that very one which monopolizes the entire patronage of India!

Then the system of Indian government is such, that nothing short of thirty years' study can make anybody conversant with its details; and thus that oldest of sophistries of despotism, which first clothes the administrative machine with complexity and mystery, and then proclaims that nothing but a specially-trained understanding can be trusted to work it, is palmed off on a credulous and careless public. I would ask if it was judicious on the part of the persons put upon their trial thus to speak of their judges.

If we except a few contradictions, such as the assertions that the Double Government is happily independent of Parliament, and that it is, as at present constituted, thoroughly amenable to Parliament; that the Directors are not justly censurable, because the Board of Control has the entire power, and again that the directors have the "initiative and advice which it would be dangerous to abolish," (paragraphs which serve to show that Mr. Mill is at least as accomplished a sophist as he is logician), the petition is pretty well demolished. As to the "sentimental" part of the paper, and the fear lest the new body should not succeed to the "feeling" with which the "historical antecedents" of the Company invest it, the less that the petitioners say on that point the better for them. Sir George C. Lewis has ably handled that topic.

There remains for me to say a few words on the future Home Government, of which it may suffice to say, that it is merely an attempt to continue Double Government under a new name, and to maintain the evil of irresponsibility.

Responsibility is the great object of the Indian Reformers, for it is only by having some *one* individual to look to, who cannot ride off on any difference of opinion between himself and his Council or Board, that a divided responsibility can be got rid of.\*

Changes in India are indispensable and unavoidable. On some topics, however, enquiry may be requisite, or, at least, desirable; on others, reforms will carry themselves. This is not the time to introduce sweeping changes in India; and, indeed, none are called for. Those for which the country is now ripe will enforce themselves very soon after peace is restored; nothing is more idle, indeed pernicious, than the legislative introduction of theoretical innovations. Governments are the converse of poets, who are born, not made. In the language of Sir James Mackintosh, "Governments are not made, but grow."

At the same time, the abolition of the Double Government, of

\* Lord Ellenborough, in his evidence before the House of Commons, 18th June, 1852, contemplates only a Council *of advice*, whether the Committees be named in the Bill or elected,

the Court of Directors, and the East India Company, was, I hold, a condition essentially precedent to the commencement of that better line of policy which must henceforth be inaugurated. It was wise, in the first instance, to avoid all that could give rise to opposition to the removal of the Double Government. Had the measure proposed been more sweeping; had it aimed at reforms in India, even the abolition of the Company might have been jeopardized. Indian reformers recognize the measure as a means, not as an end; without it they could not have worked,—with it, they must keep the Government of the day up to the collar.

How then does the abolition of Double Government at home promise to affect administration in India?

In the first place, we have swept away that “traditionary policy,” which was among the main obstacles to the influx of independent Englishmen into this country. The jealousy with which “interlopers” were formerly regarded is far from extinct. The exclusive civil service, with its associations, its *amour-propre*, its *esprit-de-corps*, its hereditary nomenclature, regarded itself as the “aristocracy” of India, and indeed was proud so to designate itself. It regarded with disfavour the introduction of any independent Englishman to the discharge of functions which savoured of civil administration. It fought against the indigo-planter being made a magistrate; it saw with alarm every encroachment on its privilege and prerogative; and even while the revenue collectors are exclaiming against the amount of work imposed upon them, and the numerous different descriptions of duties they have to perform, they at the same time protest against the separation of magisterial and revenue functions, because they know that this measure, so indispensable to the well-being of the people, must, if carried, necessitate the employment of Europeans largely in the magistracy. Notwithstanding that the members of the civil service were taken, in England, from the “middle classes,” it must not be forgotten that their position was entirely altered from the moment they set foot in India. They became a sort of imported fictitious aristocracy; they were no longer of the middle classes, but constituted, in their own opinion on all points, and, in fact, so far as governing functions are concerned, the highest class. They were an oligarchy; and I consider that

a "middle class oligarchy" is the worst theoretical Government in the world, for it wants all that nobility of feeling, largeness of view, politeness of demeanour, which are characteristic of an educated hereditary aristocracy. Hence the petty jealousy of the civilians towards all those who refused to look upon their body as one entire perfect chrysolite, or who trenched, however sparingly, upon the ruling functions which they looked upon as exclusively appertaining to themselves. For the same reason, the faults of the Indian Government have been, in the language of Mr. Ludlow,\* "in a great measure, middle-class faults; the grasping after wealth, the hasting to be rich, the narrowness of view, aye, and not a little of the arrogance of the purse—the vulgar assumption of superiority." Now that government of India is brought directly under the Crown, it is not too much to hope that no such feelings will be allowed to prevail; that the position and value of the independent Englishman will be recognized, and enterprise be hereafter as much fostered as it has hitherto been frowned upon.

Next, the screen which the Court of Directors proved to the short-comings of the civil service has been withdrawn. Let me not be supposed to censure the individual members of that service, sweepingly or undeservedly. Their defects are the result of their system, which provides for no special training; which unavoidably fosters a spirit of exclusive cliquism. The wonder is how they have done so well, not that they have done no better. But still such is the force of a common bond of union, of an exclusive order, and its influence with the Court of Directors, the appointing and controlling body, that complaints against the administration of any individual were sure to be visited as lightly as possible, if not palliated. Hence, men in power in India might do with impunity things which would cost them their appointments at home. Witness abundant cases; which many of my readers will no doubt call to mind, but which it might be invidious in me to supply. This also vanishes with the Court of Directors. The minister at home will have no leaning in favour of the service. The conduct of every one among them is brought much nearer to Parliamentary enquiry, and this

\* Vol. ii., p. 152.



knowledge will exercise a most wholesome effect upon all civil administrators in India.

Thirdly ; it will not be possible now for Governors-General and Governors in India to treat with indifference orders received from the Home Government, when those orders are opposed to the feeling or wishes of the authorities in India. Obedience to orders will be enforced henceforth ; and we shall thus have removed one of the principal sources of that miserable procrastination, which has kept India so long without the application of those reforms and improvements which have been demanded, argued, proved necessary, admitted, sanctioned, and positively directed. The whole history of the Company is one long illustration of this practice. It is hence that the Company has appealed to its orders, whenever assailed on the score of non-performance. " We directed the thing to be done in such and such a year ; we reiterated our orders in such and such a year ; we have again written peremptorily on the subject ; " and yet nothing is done—those orders are quietly treated with contempt. The authorities in India remain unpunished. They know their own impunity, and take advantage of it. But what should we say of an absentee Irish landlord, who, in reply to constant complaints against his agent, of unroofing houses, turning tenants adrift, and the like, contented himself with reiterating virtuous remonstrances to his servant, and winking at his continued practice, so long as the " rint " found its way across the Channel ? It is just thus that the directors and the local Government have acted, as Lord Macaulay informs us, in a brilliant often-quoted passage, in his essays. In the " memorandum of improvements," it will be remembered that the directors have taken credit for the abolition of the moturpha. It is true that express orders came out to abolish it about two years ago, but those orders have not been acted on, and the Company still pockets the tax, and makes no sign. Peremptory orders have, for the second time, come to Lord Harris to deprive two missionaries, the Rev. Mr. Gundert and the Rev. Mr. Percival, of their appointments in connexion with Government education. His lordship feels very strongly on the subject, and has written, in support of his nomination, one of those characteristic minutes, in which whole classes are sweepingly denounced without a tittle of evidence, and written down

factions, because they hold different opinions from his own.\* Up to the present moment, the twice-repeated orders of the Court of Directors have not been attended to. In the present case, I conceive Lord Harris is in the right; but the question is, whether obedience should not be enforced towards the orders of his superiors? I conceive there can be but one reply, though resignation might be the alternative. One instance more, and the latest, must suffice. The President of the Board of Control stated in Parliament, on the 16th of February, that annexation frequently "characterized the policy of Governors-General, but it was in spite of the orders of the Court of Directors *and of ministers.*" Now this obedience will be enforced, no doubt, by the ministerial Government, which cannot be treated with indifference so cheaply as the Court of Directors.

Lastly, when measures are determined on in this country they will not henceforth be lost in such constant references and oscillations backwards and forwards, no one being able to tell where the hitch is; whether the Court of Directors' influence is the impediment, or if the Board of Control has refused its sanction. In short, we have no longer two Kings of Brentford; and the lieges will be the better for it, for hitherto,

Quicquid delirant reges, plectuntur Achivi.

\* Speaking of the popular apprehension of proselytism, Lord Harris thus writes:—"The suspicion is not brought forward by the people. The acts of Government are not looked upon by them in that light, but the cry is raised by a few ill-disposed men, who are stirred up by *unprincipled Europeans for the purpose of creating opposition to Government. These men would not be satisfied even if the Government were to teach nothing but the purest brahminism*, and would discover some objections which would be converted into attempts to undermine the religion of the people."

## CHAPTER VI.

### TOPICS 9TH—11TH.

- IX. Shall we continue our policy of centralization?—X. How can we improve the constitution of the local Governments?—XI. Is the Legislative Council properly constituted?*

WHAT has saved India at the present crisis? The courage of Sir John Lawrence, who broke through the bonds of centralization,\* and upon his own authority and responsibility, took thought not only for the safety of the Punjab, his immediate government, but for the whole empire; who opened a loan at 6 per cent., raised regiments, and forwarded every available man southward to Delhi. Our first means of checking the insurrection were supplied from the Punjab, while the central Government was paralyzed and helpless. Lord Elphinstone has raised his reputation by not hesitating to act in a manner so independent as would never have been tolerated under the rule of Lord Dalhousie. The rapid power of action which is supposed to reside in a despotic Government, and to form one of its chief recommendations when the times require a dictator, has proved to be signally wanting in the supreme Government at the hour of need. It has broken down most completely just when and where, according to political theory, it should have proved most promptly efficient. What would have been the fate of the empire if the advocates of centralization had succeeded in their desire of amalgamating the three Indian armies, and bringing them immediately under

This is the general belief in India. The Red Pamphlet, however, says that Lord Canning at once gave Sir John Lawrence *carte blanche* to act as he pleased. If this is so, it is creditable to Lord Canning, but does not affect the argument that the centralizing policy utterly broke down in the first moment of exigency.

the central control; if there had been a community instead of an antagonism of interest; and if a unity of feeling and purpose had been fostered by a common organization ?'

Yet the public may rest assured of this, that the determination to push on the centralizing policy is stronger now than ever in Calcutta. Within the last week I have seen a state paper from a high military official, proposing the amalgamation of the armies, and the abolition of local commanders-in-chief; and Lord Canning has just "reformed" the financial department by introducing one finance department for all India, which is to be immediately under the supreme Government, and all the appointments to which are to be in the patronage of the supreme Government; while so little is local experience reckoned of any value, that the subordinate officers are to be continually on circuit at the various Presidencies, ruling at any one for no longer a period than two years. The old supercilious indifference towards Madras, "the benighted," has been exchanged for grudge and jealousy caused by the fidelity of the Madras troops, the loyalty of the people, and a dislike to acknowledge the obligations conferred upon the supreme Government by the vast amount of assistance which the "minor" Presidency has been able to render it at the season of its utmost need. Not only has Madras lent regiment after regiment, headed by her illustrious Fusiliers, who have been dispatched bodily to Calcutta; not only are her various columns now pressing forward, and the Madras sepoy thrashing the Bengalee in actual battle as heartily as he always has in cantonments, when the two have met; but at a time when the Calcutta Government was paralyzed and the military secretariat "nowhere," Madras provided ammunition, all the appurtenances of war, tents, stores, and the like, not only for the troops already in India, but for those who were on their way from England, and who, but for this aid, must have been shelterless on landing. Day after day have I seen the esplanade covered with hundreds of

\* "I remember that some five years ago a proposal was made for amalgamating the whole native army of India. Where must we have been now if this had been done? The ruin must have spread much more widely and contagiously, and it has been no small source of safety to the Indian empire that the armies of the three Presidencies have been kept separate, and that the disaffection which spread among one army should hardly have reached another, and should never have touched a third."

newly-made tents; Madras has actually shipped men-servants for the use of the officers and men of the regiments coming to Calcutta, and I fear lest all the service rendered has but raised a spirit which will indemnify itself in peace by renewed neglect, and a still more oppressive claim to supervise and veto the minutest details.

It is difficult to give a clear understanding of the existence of this spirit. Perhaps it is best explained by a few examples. I give the stories as they are current in Madras, without vouching for their authenticity. When the 8th Madras cavalry refused to proceed, and were disarmed, a high Calcutta military official is reported to have said "Thank God—there is a Madras regiment gone at last." When the Madras splendid rifle corps was embarking, a Bengal officer, coming out in consequence of the rebellion, was heard to express a wish that the mutineers might give them a good thrashing. I believe this feeling extends beyond official circles. For some years a Madras engineer has been in charge of the Calcutta mint. It is thus that the "Englishman" of the 25th February notifies an approaching change:—"We understand that the mint mastership has been offered to Colonel Baird Smith, Bengal Engineers. *The owls and bats of Madras* may consequently return to their benighted city." Mr. Francis Maltby, one of the ablest administrators among the Madras civil service, was appointed commissioner some time since to bring the ceded districts into order. Major Cuthbert Davison, the resident of Hyderabad, refuses to forward his papers in their entirety to Bengal. Such a reprimand comes to Mr. Maltby as has induced him to lay the whole matter before the Governor-General in Council. When these papers are made public they will afford a pretty specimen of the pretensions and evils of centralization.

It would be difficult to commit a greater mistake than that of supposing the remedy for Indian affairs complete with the abolition of the Double Government at home. India must be governed in India after all; Sir Charles Trevelyan enunciated this truth in his evidence before the Parliamentary committee.\* It is the catchword of the true Indian reformer, and though it is used by

\* 3rd Report H. of C., Q. 5101.

the Court of Directors and others, who would fain divert public attention from the paramount importance of securing the responsibility of the Home Government, probably with but little sincerity; it is clear that in proportion as the actual task of governing India is to be carried on *in* India, the necessity increases of providing that the machinery for such work shall be as complete and efficient as possible. In this view indeed the condition of the local Governments in India assumes an importance even paramount to that of the Indian Home Government, since the real practical every-day work of administration must emanate from the former, and the absence of any necessity for interference on the part of the latter will be the best criterion both of the quality of the Indian administration and of the happiness of the people.

Centralization exercises so fatal an influence upon all improvement in India, that I venture to crave patience while I probe the subject far deeper. I do not speak of the destruction of municipal institutions which M. De Tocqueville shows to have been the bulwark of constitutional liberty in Europe, for we have long since destroyed all vestiges of those admirable municipal institutions which we found in India. I allude to the jealous monopoly of all power by the Supreme Government. The "Friend of India," some years back, told us that it was the jealousy of the Supreme Government, which could not *initiate* any measure in the "minor" Presidencies, that checked their independent action. The Public Works Commissioners, in their report, entered at large into the subject, and adduced many instances in which the baneful power of Calcutta had operated upon Madras. Lord Dalhousie, I am aware, denied that he had ever negatived any feasible propositions from Madras. But this question of feasibility involves the whole question which it begs entirely. It is argued that the local Government is far better able to decide upon matters requiring minute local experience than the Supreme Government, at a distance, with its overwhelming multiplicity of business, can possibly be. The vexatious delays which are continually occurring before any sanction to the most trifling outlay can be obtained, frequently appear in the public papers; and Lord Canning has recently declared that India must be governed as one Empire. This is

very evident in the recent course of legislation. We are to have *one* code for all India—for Bombay with its already respectable code, and Madras and Bengal with none. When a draft municipal act for Madras, well considered by all the authorities at Madras, was sent up to the Supreme Government, it was put aside in favour of one for *all* India and the Straits to boot; though the local peculiarities of Madras with its wide-spread environs render it a very different place from the closely crowded city of Calcutta. Another instance will be found hereafter in the special appeal act.

It is not true that India must be governed as one Empire. We do not legislate on all or even on most occasions for England, Ireland, and Scotland, by one and the same Act of Parliament; nor is the principle necessary for India; so far from it, I think it is very detrimental in its operation. If an instance be wanting I would cite that of police. I can scarcely conceive a greater mistake than that of providing one cut-and-dried uniform measure for the police of all India; and yet the well-considered scheme for a Madras police has been hung up by Lord Canning, on the plea that it was necessary to reconsider the subject of the Bengal police! But for this—the two measures being as separate and unconnected as the Presidencies themselves—we might, at this very moment, have had an effective model police in some of the districts adjacent to the city of Madras. The existence of any centralizing spirit, I am aware, is frequently denied by those whom it concerns. Lord Clare, we know, resigned the Government of Bombay because he would not stand the minute supervision of the Supreme Government. Ever since I have been in Madras I have heard constant complaints from the highest officials on this score, accompanied frequently by no slight indignation at the tone in which the Calcutta communications were couched.\*

\* Mr. L. R. Reid, before the House of Lords' Committee, states as follows:—

Q. "You state that the finances of the Presidency of Bombay are under the control of the Supreme Government. Do you consider that arrangement as a salutary check upon the local influence, or rather as an injurious interference with the due exercise of local knowledge?"

A. "I think it acts both ways; I think it is sometimes a salutary check upon imprudent expenditure, but I doubt whether it is not also very often a check upon prudent expenditure."

That decentralization would be felt as a relief by the local administrations of the minor Presidencies, and that it would redound to their credit and advancement, I, for one, have not a moment's hesitation in maintaining. But a less interested witness had better be called into court.

Mr. Kaye, upon this point, writes as follows:—

“Looking now to general results, it would appear that this system of extreme concentration of power in the hands of the Supreme Government has imperfectly fulfilled the intentions of

Q. “What was the impression upon your own mind, during your own experience?”

A. “The impression upon my mind was what the impression of a subordinate naturally would be, that the representations of the local Government were not always allowed due weight. We felt ourselves precluded from recommending much which we deemed very advantageous, but which we feared might not be so considered in Bengal.”

Mr. McLeod, before the same Committee, states as follows:—

Q. “In your last answer in your previous examination, you stated that the interference of Bengal with the Presidency of Madras acted injuriously upon the public service?”

A. “I think it has a tendency to prevent the Madras Government from bringing forward measures of reform, attended with expense, which, but for the necessity of submitting the matter previously to the Supreme Government, which is really formed chiefly of men connected with the Bengal Presidency, would be taken in Madras with benefit to the public interests; if there is any new expense to be incurred, even though, on the whole, there would be a saving, I conceive that, under that rule, the measure must be referred to Bengal.”

Q. “Do you apprehend that there is any unfair disposition to sanction expenditure in Bengal, which does not exist in sanctioning expenditure in Madras and Bombay?”

A. “I would not say that there is any unfair disposition of that sort; but I have not the least hesitation in saying, that it is the general belief of the authorities in Madras that they are better qualified to judge of the measures necessary or expedient for the Madras Presidency than the authorities in Bengal, and I think they are quite right in being of that opinion; I think, too, that the knowledge on their part that all measures that are attended with any increase of expense must be referred to the Bengal authorities to get their sanction has a tendency to impede the beneficial action of the Madras Government.”

Q. “Has it not also a tendency to promote greater economy in the expenditure?”

A. “I do not think it has; I do not think that, under the operation of that rule, the expenditure of the Madras Government, on the whole, is likely to be more economical than it otherwise would be, or that the interests of the public are likely to be benefited, even in an economical point of view.”

And again:—

Q. “Can you point out to the committee the general distinction between the



the Legislature. It has borne, indeed, the accustomed fruits of centralization. It has dispirited and enervated the local Governments. It has thrown upon the central authority an accumulated burden, under which it has not made much progress in the work of provincial improvement. I speak especially with reference to the Governments of Madras and Bombay. The Bengal and Agra Governments are immediately under the eye of the Governor-General. He passes from one to the other, traverses the whole tract of country from Peshawur to Pegu, and has a

mode of action under the former Charter Act, and under the subsequent Charter Act of 1833 ?

A. " I had not any very great opportunity of observing the difference ; but I think it was more with regard to the authority to create new appointments, and to incur large or permanent charges ; as respects these, the powers of the local Government were much more restricted than they had been before ; except upon that point, I do not remember any marked difference."

Q. " In your judgment, did any inconvenience arise from the restriction which that imposed upon the Bombay Government ?

A. " Yes, I think inconvenience arose from it "

Q. " Will you state what the inconvenience was ?

A. " The inconvenience was the great difficulty in getting any new appointments created which were necessary for the public service ; the obstacles that were thrown in the way so numerous, and it required such detailed explanations before authority could be got to constitute any new office, that it created great embarrassment to the local Government, and tended to prevent its establishments being made so efficient as they might have been."

And again :—

Q. " Can you suggest any mode by which the relations between the Government of Bombay and the general Government of India can be improved, so as more fully to develop the resources of Bombay ?

A. " I think too free an action can hardly be given to the local Government in all matters of internal administration. I think they are more capable of exercising power efficiently in such matters than the general Government of India can be."

Q. " Do you think that the powers of local Government are too much curtailed at present ?

A. " I think so as regards the creation of appointments, and especially minor appointments."

Q. " Do you think it better that any such expenditure of the local Government should be made referable to the Government at home, rather than to the Governor-General in Council ?

A. " I think it would be desirable that every expenditure of the Presidency should come periodically under the revision of the Supreme Government, as the whole of the finances of India would be affected by it ; and they should have the power of calling for explanation in any instances."

Q. " But not a power of disallowing any expenditure ?

A. " It is not a power which it would be desirable to have exercised frequently,

kindly paternal interest in the welfare of all those provinces, which, in spite of the divided administration, still integrally constitute the one great Presidency of Bengal. The vast progress, therefore, which has been made, under the Government of the North-Western provinces, can hardly be admitted as an argument in favour of this excessive centralization. We must look for arguments on the southern and western coasts; and I fear that

or minutely; but, of course, in extraordinary cases of expenditure it would be reasonable that the Governor-General should have a power of disallowing it, subject to a reference to the Home Authorities."

Q. "The extent of the power of the Governor-General should be limited by the amount which is proposed to be expended?"

A. "Yes."

Q. "But you think that the limit to which the Presidency is now confined is too narrow?"

A. "I do; no office under ten rupees a month can be created by the local Government, without a previous reference to the Government of India. At first, the minor Presidencies were required to make such reference in each individual case, even under that amount. Then that was found to be so inconvenient, that they were requested, instead of referring each case, to send monthly calendar statements of new appointments, or changes in old ones, within the limit of ten rupees of monthly salary, which worked very well; it did away with the inconvenience of such frequent reference."

Q. "Does the restriction of the local Government, with regard to appointments, affect the power of the local Government injuriously?"

A. "I think it affects their efficiency more than anything else."

And Mr. David Hill states as follows:—

Q. "Has your connection with the home administration of the affairs of India enabled you to state to the committee an opinion as to the changes made by the last Charter Act, in the relations between minor Presidencies and the Supreme Government;—is it your opinion that such changes have been advantageous or not?"

A. "I think they have been of advantage; I think the principle of control has been carried too far in its operations; that is to say, the minutest disbursement at one of the subordinate Presidencies is interpreted in Calcutta to require that all the circumstances attending it should be reported, for the previous sanction of the Governor-General in Council. The Governor of Bengal takes more latitude to himself, though, in that capacity, he is as much under the authority of the supreme governor as the Governments of Madras and Bombay. There is even more sympathy for the North-Western Presidency as part of the Bengal territory; but with respect to the Presidencies of Madras and Bombay, the officers of the Government of India seem to take a pleasure in running them down. I do not think that that can have been intended. The general principle of control seems quite proper, but with respect to petty disbursements it appears that the natural course would be that the local Government, in its discretion, should authorize them, and that a periodical list of them should be submitted to the Government of India, and should be liberally constructed at head quarters."

[See further on this subject, "Calcutta Review," No. 32.]

we shall not gather, from the apparent results, any very satisfactory proofs that the tendency of the system is to kindle much administrative zeal, or to develope much internal improvement."

People in England have no conception of the extent to which centralization obtains in India. In all imperial matters, the central authority should be not only supreme, but it should initiate; in local matters, the control of the central authority should be applied in the way of subsequent check, not of previous sanction. Sir Thomas Munro, many years ago, laid down the true principle: he said—"Let each Presidency pursue the course best calculated to promote improvement in its own territory. Do not suppose that one way will answer for all, and that Madras, Calcutta, and Bombay, places 1000 miles apart from each other, must be in everything so much alike, as to require exactly the same rules of internal administration on every point; let each Presidency act for itself. By those means a spirit of emulation will be kept alive, and each may borrow from the other every improvement which may be suited to the circumstances of its own provinces. If there is only one system, and if one Presidency is to be the model of the rest, it will have no standard to compare its own with; and when it falls into error, it will, instead of correcting it by the example of others, communicate it to them." Nor was Munro singular in his opinion. Mr. Elphinstone, Sir Richard Jenkins, and other distinguished men, entirely coincided with him. A bureaucratic centralized despotism may suit the inhabitants of the Continent of Europe, but is not, and never will be, the form of government for Anglo-Saxons—men who love to have elbow-room—men, who, when they have the opportunity, build their houses with a clear space around them on all sides.

Lord Dalhousie denied that he had ever injudiciously or unnecessarily fettered the Madras Government. But the general sense of the officials in the subordinate Presidencies is certainly to the effect that their operations have been capriciously and injuriously crippled by centralization.

In proof of this we may consult Lord Elphinstone's evidence: H. of C., 11th June, 1852:—

2104. Q. "Will you state to the Committee what, in your opinion, has been the

To the extracts given may be fitly appended the opinion of a distinguished foreigner, the Count Von Orlich, who takes an unprejudiced survey of Indian politics from a point of view different from our own. He writes as follows:—

“ The greatest mistake of late years has been the constant aim at centralization. All centralization carries in it the germ of

effect of the changes made by the Act of 1833 in the relations of the subordinate Presidencies to the Supreme Government ?

A. “ I think the effect upon the subordinate Presidencies has been upon the whole very injurious. I think it has lowered the character of those governments in public estimation, and damped and depressed the zeal of public servants under those Presidencies. It has also led to considerable delay in the ordinary transactions of business.”

2105. Q. “ How have those changes produced those results ?

A. “ I think that governments that are deprived of the means of executing improvements which they consider necessary, and which are subject to minute supervision in every petty detail of administration, cannot be expected to command the same respect that other governments possess that are not shorn of those attributes ; I think the subordinates under those governments feel the powerlessness of the governments under which they serve. The delay that is caused is very great in the transaction of business. If the Governor-General happens to be at Simlah, which he frequently is, being about 2000 miles from Madras, in a country where there are no means of rapid communication, the necessity of reference causes very great delay. If he leaves the duty of superintending the affairs of the other Presidencies to the Council at Calcutta, the delay is certainly lessened, at least as far as Madras is concerned ; but it is at a further expense of the consideration of the Governor of those Presidencies, while the object sought to be attained, namely, the centralization of power in a single controlling authority, is defeated.”

2106. Q. “ Do not you think that the necessity of reference to the Supreme Government, as to all points of expenditure, has acted as a salutary check upon extravagance in the subordinate Presidencies ?

A. “ I very much doubt if it has. I think that the responsibility is in some degree taken off the shoulders of the subordinate Government, and transferred to a Government which has no effectual means of checking the expenditure, or of knowing what expenditure is judicious and what is inadvisable.”

2107. Q. “ But the finances in India are under the control of the Governor-General in Council ?

A. “ Yes ; and I think the supreme control of the finances of the Government should continue in the hands of the Governor-General in Council, but that all the details of administration of the subordinate Governments should be left to the Governors in Council of those Presidencies.”

2138. Q. “ Has the expenditure, which you and your Council recommended at Madras as, in your opinion, necessary for the good government of the province, been rejected in frequent instances by the supreme Government of India ?

A. “ Very frequently ; and occasionally recommendations have not been so forwarded, from the certainty that they would be rejected. I think, on the one hand, it sometimes makes the subordinate Governments send in applications for expenditure without due consideration ; and on the other hand, it sometimes prevents their sending

revolution and ruin. The centralization of an empire like India must be regulated by the measures which its external relations demand; while internally it should aim chiefly at the management of its roads, canals, ports, &c. All beyond should be left to the different territories, and the more the principles of self-government are allowed their full play among the various peoples,

on recommendations of which they approve, from a conviction that they will not be sanctioned."

Mr. W. Wilberforce Bird is of the same opinion, 14th May, 1852 :—

1010. Q. "Would you suggest any change in that system?"

A. "I think there might be a limit; at present, at neither of the subordinate Presidencies can the slightest expense be incurred, not even to the amount of five shillings, without the special sanction of the Government of India. Perhaps this is too strict, there might be a certain limit within which they may be authorised to expend money without the sanction of the Governor-General in Council; it increases the number of references, and such small expenditure is generally sanctioned; the Government of India could hardly refuse a disbursement to that extent."

Mr. Willoughby says as follows, 27th May, 1852 :—

1476. Q. "What have been the effects of vesting the Central Government with the present power of control over the subordinate Presidencies; have they all been advantageous, or the reverse?"

A. "In my opinion, the authority vested in the Government of India over the subordinate governments has produced both good and evil; on the one hand, by checking any tendency to extravagance, it has promoted economy; and on the other hand, it has transferred to a distant authority the decision of questions in which the local authority is much more likely to be able to form a correct judgment. I have heard, though I cannot possibly vouch for the fact, that the late Lord Clare resigned the Government earlier than he would have done, in consequence of the changes introduced by the Act of 1833, but no doubt he must have felt the restrictions under which the Act placed the subordinate Governments in a greater degree than subsequent Governors, because from 1831 to 1834 he had exercised the power of Governor without being subjected to those restrictions. He therefore felt, probably, the restrictions more severely from having acted for three or four years unfettered; but from my own personal knowledge, I can affirm that the late Sir Robert Grant, one of the most conscientious and benevolent men with whom it has been my good fortune to be associated, and who, in his seat in Parliament, strongly urged the expediency of the subordinate Governments of Madras and Bombay being placed under those restrictions, felt that they impeded and hampered his powers of doing good, although they had not, during his administrations, been brought into full operation. This affords a remarkable proof of the difficulty of attempting to legislate for India on mere theory alone, and forsaking the safer guide of practical experience,—a fault which I fear many are too prone to fall into. To resume, however; the restrictions under discussion have operated injuriously in various ways; they have increased and multiplied correspondence to a great extent, and have created delays and obstacles particularly in regard to measures devised for the improvement of the country, and more especially when the Governor-General of India has been obliged to be absent from the seat of government. These inconveniences would not have been so much felt, had Madras and Bombay

districts, places, and communities, each according to its situation, customs, and means, so much stronger will be the chain which binds all together. England herself exhibits to the fullest the blessings of such a system, and her neighbour the consequences of a fatal system of centralization."

But Lord Dalhousie, I am aware, took another ground. He

been represented at Calcutta, as, I believe, was contemplated; but only on one occasion have the interests of Madras been represented, (I refer to Colonel Morrison)—those of Bombay never. We have therefore felt, more especially during the frequent and unavoidable absences of the Governor-General, that we were not subjected to the control of a Government of India, composed of members possessing a knowledge of all India, but to a Government of Bengal, composed, no doubt, generally speaking, of men of distinguished abilities and sterling integrity, but imbued with Bengal influences, and, occasionally, prejudices. By the Act of 1833, the power 'of creating any new office, or granting any salary, gratuity, or allowance, without the previous sanction of the Governor-General in Council,' was withdrawn from the subordinate Presidencies. The first restriction, that against creating new offices, was salutary; but those that follow carried out the system of centralization too far, and, in fact, in practice, the strict observance of the law, which was for a time attempted to be enforced, has been evaded. The rule, of referring in the first instance on all matters of finance, however trifling in amount, to the Governor-General in Council, was found to be so inconvenient and productive of such delay, that the Government of India dispensed with a formal reference in each case, and allowed monthly abstracts to be substituted, exhibiting any increased expenditure. Those abstracts then undergo audit at Calcutta, and the several items are either approved or disallowed; in the latter case, giving rise very often to a long correspondence. There is also another instance in which I think the control of the central Government operates prejudicially. The expenditure of Government is, of course, divided into fixed and contingent; the abstracts prepared in each office are subjected to audit in each month, in their respective departments; but it often happens that, for the good of the public service, changes are required, and the subordinate Governments have not the power of sanctioning those changes without a previous reference to Calcutta. Even, although, in the aggregate, no increase of expense is incurred, we are obliged to explain in detail why we think A. should receive three instead of two rupees, and why B. should receive two instead of three *per mensem*. This appears to me to be a mere waste of valuable time and paper, and especially when we consider what large miscellaneous powers are of necessity intrusted to the subordinate Governments. But it is in measures relating to local wants and improvements that the minute control of the Government of India is most severely felt, and the more so, because in these days, when steam annihilates both time and space, it is felt to be unnecessary; for the subordinate Governments, in common with the Government of India, are also subjected to the strict supervision and control of the authorities in England. In fact, we often find, that after having incurred the trouble and delay of a reference to Calcutta, we are told that the matter will be referred for the consideration and orders of the Court of Directors. The delay and inconvenience which would result from these double references was foreseen by the Court, and was urged by them, when the Act of 1833 was under discussion, as a reason why the subordinate Governments should not be divested of the powers they formerly exercised. One or two examples will illus-

stated that the Court of Directors had left him no option. The following\* is the document on which his lordship relied :—

“ The powers thus conveyed, when the words are interpreted in all their latitude, include the whole powers of Government; and it is of infinite importance that you should well consider and

strate the question. It will be admitted that banks established on sound principles, are calculated to promote the interests of a large commercial community like that of Bombay. A chartered bank had for many years existed at Calcutta, and a Government Bank at Madras; in the course of time, a respectable proprietary was formed to establish a bank at Bombay, and the capital deemed necessary was subscribed. A reference was made to the Government of India for sanction, and after a very considerable delay, the subordinate Government was informed that the Government of India, in consequence of certain differences existing among the shareholders, had resolved to dispose of the bank stock by public auction, and to apply the premium expected to be realized to improvements in Bombay. This fatal shock to private enterprise was only averted by the original projectors of the bank deputing a special agent to England to represent the injustice of the proposed measure, and the Court of Directors at once afforded redress, and gave the requisite sanction.

The proprietors had then to apply to Calcutta for an enactment, and one was at last tardily passed, clogged, however, with a condition which operated most injuriously to the interests of the bank, and from the effects of which, it has not to this day recovered. In this instance, a delay of, I think, between two or three years occurred, on a question on which, having precedent to guide us, and subject, of course, to the approbation of the Home Authorities, the subordinate Government was much more likely to know what would be beneficial, than a distant Government, occupied with its own interests; it was not a question relating to the services, but to the commercial community of Bombay, and the proceedings of the Government of India on that occasion created great dissatisfaction. Again, in regard to local improvements, I will give the following example:—this Committee, no doubt, is aware of the discussions which for some years past have taken place on the subject of augmenting and improving the quantity and quality of cotton from India. I can testify that the Bombay Government has given much and anxious attention to that question, regarding it as one of national importance. One of the chief ports from which the cotton of Bombay is exported is Tancaria; the conveniences of the port (it scarcely deserves the name) are exceedingly small; in fact, it is a muddy creek, from which merchandize can only be shipped at certain periods, and at spring tides the seawater overflows its banks; for the convenience of the shippers, and to prevent the cotton being soiled with mud, it occurred to the local Government that a pier, wharf, or quay might be constructed; an engineer officer was therefore deputed to the spot, to report upon the practicability of the work, and to estimate the cost of construction; he reported that it was perfectly practicable, and estimated the cost of construction at about 30,000 rupees, or £3000. After these preliminary proceedings, the improvement, as is required in all cases, involving an outlay of more than 10,000 rupees, or £1000, was referred, with the recommendation of the local

Extract from the Court's Dispatch on the Charter Act of 1833, to the Government of India.

understand the extent of the responsibility thus imposed upon you. The whole civil and military Government of India is in your hands; and for what is good or evil in the administration of it, the honour or dishonour will redound upon you.

“ It is true that former Acts of Parliament, which made the

Government, to Calcutta for sanction, and the answer we received was in the negative, on the plea that on financial considerations the outlay could not be authorized. This occurred in the middle of 1850. The proceedings must, in due course, have been reported to the Home Authorities, who may at once, recognizing the importance of the work, have sanctioned it; but when I left India in May, 1851, Tancaria Bundur was in the same unimproved state as when I first visited it 32 years ago. No one is more sensible than I am of the necessity of prudent economy, or more opposed to a wasteful expenditure of the public money, but I think the Committee will agree with me, that the restrictions under discussion in this case operated most injuriously, and were disheartening to the subordinate Government, who were endeavouring to do their duty to the country and the people. I could easily cite other examples; for instance, the Bombay Government has repeatedly requested to be permitted to bridge the rivers and nullas, which abound in the high road between Bombay and Agra—an unbridged road in India—being, for the purpose of traffic, perfectly useless during the rainy season. It was a work, no doubt, involving a very considerable expenditure, and we received the usual reply, that the state of the exchequer precluded sanction. No doubt, on large questions, such as those of peace or war, or political relations with the native states, and matters which require a large outlay, the control of the central Government is highly proper and beneficial; but a general control of this nature existed even before the passing of the Act of 1833, and the Court of Directors had, previously to that Act, prohibited even the Supreme Government of India from creating any new office without their formal sanction. On the whole, I am decidedly of opinion that, in matters of finance, a greater latitude of discretion might, with advantage, be allowed to the subordinate Governments, provided they are competent and efficient, but if they are not competent, the more restrictions they are subjected to, the better it will be for the public interest.”

Lord Ellenborough says, 18th June, 1852:—

“ But I should have been glad if there had been associated with the Council some distinguished officers of the Madras and Bombay Presidencies, with whom the Council might have advised upon matters referred for its consideration and orders, by those two Presidencies. It is impossible not to admit that there may be certain prejudices existing in servants of the Bengal Government, which may induce them not to view with the same degree of favour proposed expenditure in Madras and Bombay, with which they would view similar proposed expenditure in their own more immediate province. Although the control was made by the Act very much greater, on the part of the Supreme Government over the Madras and Bombay Presidencies, than it had been before, I certainly did not know so much of the affairs of Madras and Bombay, as Governor-General, as I had known as President of the Board of Control; whether the cause of that was, that having the concerns of Bengal, of the army, and all political matters more immediately before me, I did not pay so much attention to the affairs of those Presidencies when Governor-General, as I paid when at the Board of



local Government a Supreme Government, gave the Governor-General in council a control and superintendence over the other Presidencies, as complete and paramount as it was possible for language to convey ; and this we must assume to have been the intention of the legislation. In practice, however, the Supreme Government made little exercise of its superintending authority, and the result has been that even that little exercise of it has been generally made when it was too late to be made with real effect, namely, after the subordinate Government had taken its course, thus losing the character of control and responsibility, and retaining only that of *ex post facto* intervention,—a sort of intervention always invidious, and in most cases nothing but

Control, where the matters of all the Presidencies came equally for consideration before me, I do not know ; but the fact is so.”

Lastly, Mr. Sullivan’s deposition is as follows :—

4663. Q. “ The Committee are aware that you have given much attention to the subject of the Government of India, and they will be glad to hear what you consider the defects in the present system, both in India and at home, and what remedies you would suggest as applicable to those defects ; perhaps it would be better to divide your answer, and to begin with the Government in India ?

A. “ I think the sooner the relations which subsisted between the Supreme and subordinate Governments in India, previous to the legislation in 1833, are restored, the better ; I believe that all legislation that disturbed those relations was wanton, mischievous, and has been most pernicious in its operation ; I think it was wanton, because, under the old law, the Governor-General had full authority to interfere in the affairs of the subordinate Presidencies, whenever he thought fit ; he had such ample power that he might have made either Bombay or Madras the seat of the Supreme Government for the time, and have had the whole of the affairs of those Presidencies under his hands ; but this power was, in my opinion, wisely kept dormant, except upon great occasions. It never was brought into operation except the Governor-General thought the public interests likely to be seriously compromised by the subordinate Government. The legislation of 1833 kindled those powers into what I consider to be a mischievous activity ; it threw upon the Governor-General, already overloaded with business, additional business which he had no competent qualifications to perform. It exceedingly weakened and lowered the dignity of the subordinate Government ; it detracted very much from its authority ; and it left to the Governor-General questions to decide, for which he had no previous preparation. The consequence is, that the business of the subordinate Governments has, in a great measure, been taken away from those who are perfectly competent to discharge it, and lodged very much in the hands of the secretary, who has never given his mind at all, nor had any opportunities, to qualify himself to decide upon subjects. It has had another very mischievous effect,—that is, that it tends very much to make Bengal a model for all the other Presidencies ; countries, which are as far separate and as distinct as Russia and Spain, have a tendency, under the present regime, to be brought under the same regulations, and the same laws and customs.”

invidious, because what was already done, however open to censure, was beyond the reach of recall or correction.

“It is evidently the object of the present Act to carry into effect that intention of the legislation, to which we have alluded. Invested as you are with all the powers of Government over all parts of India, and responsible for good government in them all, *you are to consider to what extent and in what particulars the powers of Government can be best exercised by the local authorities, and to what extent and in what particulars they are likely to be best exercised when retained in your own hands.* With respect to that portion of the business of Government which you fully confide to the local authorities, and with which a minute interference on your part would not be beneficial, it will be your duty to have always before you evidence sufficient to enable you to judge if the course of things in general is good; and to pay such vigilant attention to that evidence, as will insure your prompt interposition whenever anything occurs which demands it.”

It is obvious, however, that, so far from these instructions leaving the Governor-General no option, they invest him with absolute discretion as to the quality and extent of powers to be exercised by the local authorities, and the time and method of the Supreme Government's interposition.

Let me not be thought to deny the necessity of an ultimate supreme authority. For the command of armies, the power of legislation, for the framing of treaties, the declaration of peace and war, the imposition of taxes, the settlement of traffic, the origination of main trunk lines of road, railways, and electric telegraphs; all those things, in short, which are from their nature *imperial*, require some one central controlling authority; but in those matters which may be called the domestic affairs of Government, each Presidency may well be left to itself. It should have the entire management of its own administration,—judicial, police, and financial. It should raise its own loans, carry out its own public works, conduct and correct its own revenue system, and be directly responsible to the Home Government for its conduct in all these matters,—just as in Australia, the several Colonies are permitted to manage their own internal administration in all respects, notwithstanding the existence of a

**Governor-General.\*** Indeed it is quite impossible that any one man, be his physical and mental powers what they may, can master the details of the affairs of such an Empire as India. His experience of the wants of a particular province or locality cannot be put in competition with that of the local authorities on the spot. He is forced to rely on those about him, who not only share his ignorance, but have their own objects to promote, their own prejudices to flatter, their own pet improvements to get sanctioned, their own districts to favour, and, consequently, the question is shelved till some more convenient season, by suggesting a call for further information, a sarcastic refusal, or a

\* It is thus that the matter was treated in the "Madras Athenæum" in November last :—

"That in place of the Court of Directors, there will shortly be a single Council for India in England, can scarcely be doubted. The minister for India will be brought face to face with his council, and that council will, we trust, be composed of the best men that can be selected, and will not, for two thirds of it, be, as now, the result of an election more curious than creditable. In all matters of a purely local nature, there should be no go-between to that Council and the Government of a Presidency. Sufficient for the Imperial Government its control over the minor Governments in Imperial affairs. Of everything else it should be relieved. By this means, what an immense burden would be lifted from the central machine! What a freedom would be given to its motion! What a mass of complicated details would be taken from it! What a clear quarter-deck would be left for the captain's meditations! Nor would the effect be less advantageous to the minor Governments themselves. Men work ten times as well when they are pretty certain of their labours having palpable results; and statesmen take broader views, and originate bolder measures, when they feel tolerably sure of support and appreciation.

"We believe that our countrymen at home have generally no conception of the extreme centralization of authority in the hands of the supreme power in India. They are not aware that an empirical system, which cannot bring forward a single successful precedent in its favour, and which is utterly opposed to English habits and feelings, has been suffered to grow up, and exert its pernicious influence, until the operations of the various Governments within its influence, have been almost reduced to stand still. We are certain that the thing only requires to be brought before the public at home to be condemned; and we look with confidence to Parliamentary interference for so desirable a result. Too long have the interests of the minor Presidencies, to say nothing of the Straits settlements, been sacrificed to the fortuitous motives prevailing at different times in the Supreme Council of the Empire—faction, jealousy, ambition, or some monomaniacal idea. Let us look forward to a happy adjustment of the balance between local authority and central control—to local councils remodelled so that every section of the community may have its proportionate interest, and no more than its proportionate interest, represented in them—and to a check upon, rather than a sanction to, the measures of our domestic administrations, by the Council for India in England."

reference to the Court of Directors. Especially will this policy prevail where the Governor-General has some favoured province of his own which he is desirous of fostering at the expense of our older acquired territories.

Let us test the results of the "most rapidly improving Government in the whole world," by a few figures. If the commercial statistics of India, during the past few years, be contrasted with its condition some years back, it will appear that the progress of the country has been considerable. Thus it is stated in the "Memorandum of Improvements," that since 1854-5, up to 1855-6, our exports have risen from £7,993,420 to £23,839,268, while, during the same period, the imports have risen from £4,261,106 to £13,447,027. I shall not stop to enquire here how far the Company's Government can fairly lay claim to the credit of this increase; let the reader compare some of the actual imports and exports with those of colonies and countries elsewhere, when it will be found that other Governments, without announcing that they are among the most rapidly improving in the world, have a marvellous superiority over India.\*

But here we are met with the constantly recurring fallacy, that no comparison can be fairly instituted between India and the other Crown possessions, because India is not a *colony*; and therefore that the condition of "the colonies" affords no argument for transferring their systems to India. In Australia, for instance, it is said, we are dealing not with a conquered population, but the emigrant surplus of our Anglo-Saxon race, who carry out with them to this home of their adoption,—that

"ambiguum tellure novâ Salamina futuram,"—

not only the rights, but the prejudices and institutions of Englishmen. What point of resemblance does such a condition of things present to the condition of India, where we stand, to use the phrase of one statesman, as the Normans among the Saxons? But not to speak of Jamaica, and the other West India colonies, where we had to deal with an aboriginal population, what shall be said of Ceylon, which is not nearer to India

\* Two articles which appeared in the "Madras Athenæum" of 25th July and 8th August, 1854, wherein the figures and comparisons are conclusive, will be found in Appendix.

geographically than its other features? There we see the happiest results from the system advocated for India; a mutual respect and confidence established between the people and the Governor; the country rapidly progressing in wealth and social improvement, and the state of the people such, that notwithstanding the immense number of Indian immigrants, Sir Henry Ward was able, without fear for the safety of his own dominions, to despatch troops to the assistance of the Government of India.

It may be objected that, as to Ceylon, the foregoing remarks bear rather upon the form of the particular Government than the subordination of one Government to another; and this is undoubtedly correct: but nevertheless the remarks are directly in point, because if it be decreed that the obnoxious principle of centralization shall cease, the powers and forms of the local Governments become necessarily the next immediate object of deliberation.

To keep up such a costly Government as that of Madras, when it is so utterly powerless that it cannot sanction "an increase of one rupee a month to two sweepers,"\* is such a monstrous absurdity, that nothing but the apathy of England towards India, the general ignorance of her affairs, and the self-interest of those who looked to the enjoyment of immense salaries drawn from the people of India, could probably have perpetuated it to the present day.

The annual cost of this pageant is 7,09,619 rupees.

The items are as follows:—

The cost of the Madras Government is as follows:—

Governor .....	1,43,500	Chief Secretary .....	50,000
Private Secretary .....	18,000	Secretary, civil and judicial..	40,000
Military do. ....	12,000	Secretary in Military depart-	
Office Establishment .....	4,374	ment .....	24,000
Gardens .....	19,419	Deputy Secretary ditto	9,724
Contingencies.....	26,053	Ditto to Government	12,600
Total, Governor.....	2,23,346	Total, Secretariat .....	1,36,324
Commander-in-chief .....	85,800	Office Establishment .....	1,36,149
3rd Member of Council ....	64,000	Total .....	7,09,619
4th Ditto .....	64,000		
Council.....	2,13,890		

\* See "Rebellion in India," p. 181.

A pretty sum, truly, to pay for deliberations which cannot be trusted to settle the income of a sweeper's pay of one rupee a month. The feeble Madras Government, at the present moment, is pitiable in the extreme. As a Member of Council told me the other day, there are only two orders now passed; one is, "Refer it to Calcutta," the other is, "Refer it to the Advocate-General;" so cabined, cribbed, confined, and, consequently, so timid, has the Council become.

It may be agreed, however, that in proportion as the incubus of centralization is removed, and the subordinate Governments rendered independent, will be the increase of work they will have to perform, and the necessity of experienced men in Council to deliberate over the welfare of the people then really committed to their care. But this by no means follows as a matter of course. Several schemes for remodelling the local Governments have been suggested. The bulk of evidence detailed before the Parliamentary Committees of 1852-3, I am well aware was in favour of the continuance of councils in minor Presidencies. The reason assigned by all the witnesses, was the difficulty of otherwise dealing with the armies of Madras and Bombay. The province of Agra, it was said, has no army of its own, no Commander-in-chief; and therefore a Lieutenant-Governor is sufficient for the chief administration of affairs; but where there is an independent Commander-in-chief, there must be a Council. I do not myself see the force of the reasoning, and at any rate there would be little difficulty in devising a remedy. The great good, as it appears to me, to be anticipated from reducing the Governments to lieutenancies, would be the necessity induced of selecting for the office, men of real experience and long practice in India affairs. A vacancy in either of the Presidencies would not then be seized as an opportunity of providing for some needy peer, whose foot is to touch the Indian soil for the first time at the moment he commences to draw his enormous salary. Men of the stamp of Thomason, Munro, Metcalfe, and Mertens Bird, must then be sought for; for, otherwise, the neophyte Governor would be a mere tool in the hands of his Secretariat, who would pull his wires as they pleased. If economy is to be the order of the day, the prospect of this prize, being in the main confined to the Indian services, would go far to compensate for reduced allowances,

and stimulate the happiest spirit of energetic competition. Late events are, of themselves, enough to save us from the infliction of Commanders-in-chief—graphically described as too weak to rise from a chair when sworn in at the India House, or so blind that, but for timely guidance, a screen would not have been avoided by the retiring nose. On the other hand, however, this scheme smacks of centralization; for Lieutenant-Governors would be more immediately under the control of the supreme authority than even the present Governors and their Councils; though, perhaps, this very fact, by destroying all jealousy of the mere semblance of power, might lead to far wider liberty of action than is permitted at present. Colonel Cotton's objection, too, deserves consideration. He is for an infusion of new blood into the Council Chamber, whenever practicable. The semi-Bhraminized "Anglo-Indian maniac" he regards as the worst of stop-gaps, and says, improvement is hopeless under the guidance of such men. The best chance for India, he argues, is, in having her affairs administered by English statesmen, with English ideas and feelings. There is much truth in this; but I believe it is possible to combine the advantages of practical Indian experience with the liberality of English ideas. In deliberating on Indian affairs, we have frequently only a choice of difficulties; and the more we learn of facts, the less we rely on theories, our most settled notions being ever liable to considerable modifications. I do not, therefore, dogmatically insist on what I am about to propose, being the best possible form of government; but suggest for the consideration of others, what seems to me, on the whole, to offer the best hope of success. I would keep the present form; but reduce the salary of the Governor, and entirely remodel the Council. In point of fact, I would give him much such a Council as obtains in Ceylon. The proof of the pudding is in the eating. The results of both the Ceylon and Indian forms of government are before the public. The one has proved itself nearly all that can be desired; the other has most signally broken down. The day has gone by when the natives at the Presidency "reckon up" a Governor according to the silver on his body-guards' pelisses, or the number of gilt sticks up behind his carriage. Less pay and more work; less show and more utility; less mystery and more publicity—are the directions in which reform lies. Pageantry is

not necessary to inspire a real respect; and a Governor might be a far less costly agent without impairing his efficiency. The Council Chamber is at present like the "pillow" of the Common Pleas in former days, a mere "Sleepy Hollow," where worn-out effete Civilians repose; or where an efficient man, if one is now and then caught, wastes the time and labour which he might beneficially employ in the administration of affairs in the Mofussil. If the Councils were composed of a greater variety of elements than at present enters into their composition, the Government would be greatly the gainer. As the Council is at present constituted, all matters which come before it are exclusively regarded from a single point of view, that of the Civilians—men who have necessarily a common *esprit-de-corps*, who are brought up in one and the same routine, who have a "traditional policy" for their guide, and the interests of their order to support. Not that I would wish to see the Civilian elements excluded. These high prizes act as so many incentives to energy; and the Civilians must always bring to bear upon any Indian topic an amount of practical knowledge and lengthened experience which it may be difficult, if not impossible, to obtain elsewhere: but if there were added to the Council, men who should represent other important interests, such as those of the mercantile class—the Mofussil adventurer, the lawyer, and the native—all questions would be treated with sufficient breadth of view, and that ample discussion, which nothing but the clash and conflict of a variety of opinions can secure. There would, probably, be no occasion for giving any pecuniary compensation to any member of Council other than those, who, being members of the Civil Service, have no other means of obtaining an income. At any rate, a moderate salary would suffice. I am inclined to think that the position which a seat in Council would give to its occupant would be sufficient temptation and reward to the independent members; and though I may be laughed at for suggesting that a native should sit at the Board, I sincerely believe in the propriety of rendering it generally known that there is *no obstacle* to a native being in Council, if only a person duly qualified can be found. I am far from advocating the hasty advancement of natives into the highest employment *per saltum*, or till they have proved their fitness for civil administration by a gradual rise, through inferior office.



But at the present moment I could name certainly one native whose presence in Council, though it might not be very palatable to the present occupants, would, I believe, be attended with great benefit to the public service. In point of acquirements, knowledge of the people, an upright desire for the welfare of his countrymen, a steady allegiance to the Crown, and a thorough appreciation of the worth of English rule, the gentleman I allude to is quite on a par with any European of my acquaintance. Closely connected with this topic is the necessity of abandoning that abominable system of secrecy which is the bane of Indian administration. Publicity, ventilation, are the best safeguards for a careful discharge of public duties; secrecy has hitherto been the bane of Indian administration. The topic is to be considered more at large elsewhere. Again, a sweeping reform is essential with reference to the enormous abuse of minute and report writing. Here, circumlocution runs riot; reams of harmless foolscap are consumed weekly to record and re-record, copy and re-copy papers which ought to have been condensed into the limit of a single side. I could give instances which would make a plain man's hair stand on end of this useless multiplication of labour, waste of time, money, and materials. I would put embryo Members of Council and Secretaries through a course of electric telegraph, and make them pay for their own messages. It is astonishing how wittily brief their style would become in a short time.

One topic remains to be handled; and upon the best consideration I can give it, I think that the legislative power had better continue as it is at present, in the central seat of Government. I do not think the new Councils should have any legislative powers. Each Presidency is represented by a member of the Civil Service, who is supposed to look after the interest of his own Presidency in the Legislative Council at Calcutta. Under the present system he need not necessarily be a Civil Servant, but should be the ablest and most experienced man who could be selected for the purpose, whether in the service or out of it. The handsome salary attached to the office would permit a man, whatever his calling, to leave his own business and Presidency, and to devote himself exclusively to the business of legislation; and the principle of representation might be indefinitely enlarged as the

progress of the country required it, so that ultimately there should be an imperial Parliament in Calcutta, of which we possess already the germ. The member for each Presidency would be kept constantly instructed and informed by his own constituents, who, as a general rule, would prepare the drafts of such acts as the Local Council deemed necessary for the territories under its control; and these drafts, settled by the law officers, and approved by the local Government, would be forwarded to Calcutta for further debate and promulgation or rejection, as the case might be. I am not one of those who cry, with Lord Dalhousie and Lord Canning after him, "India must be governed as one Empire," especially in the matter of legislation; and I think we have felt sufficiently the evils of passing general acts for all India, which are not adapted to the special requirements and conditions of the separate Presidencies. To instance my meaning by the first act which occurs to mind—that for regulating special appeals. In Calcutta, the Sudder Court consists of five judges; and the Legislature having reference to the state of the Calcutta Court passed an enactment that three judges should sit on the hearing of special appeals. The object was to save the whole Court sitting to hear mere questions of law. But the act applied to all India. In Madras, the Sudder consists of only three judges; so that the object of the Legislature is defeated here, and we have this absurdity, that while three judges *must* sit to decide special appeals, in which questions of law only arise, two may dispose of general appeals, in which questions of law and fact are opened up! The carefully drawn drafts of the police and municipal acts, settled by myself in consultation with the Chief Magistrate, approved by the Advocate-General, and recommended by the Madras Government, were so altered by the Legislative Council that I scarcely knew them again.

But the legislative power is so essentially a distinctive mark of the supreme power, that I think it would be better to have one Council sitting in the central seat of Government, than that each Presidency should have its own legislative machinery attached to it, care being taken that the interests of each are duly and ably represented, and that the requirements of any *one* are not overlooked and confounded by subservience to a vain theoretical principle, which, I believe, has its origin in the desire of the Calcutta

Civilians to centralize all authority in their own hands; and hence the cry, so agreeable to the ears of despotism, ambition, and selfishness, that India must be governed as one Empire.

At the same time the constitution of the legislative assembly requires alterations. The enormous salary paid to the professional legislative member of Council—£10,000 a-year—might very properly be retrenched. The fact is, this office is a relic of one of the grossest Whig jobs ever perpetrated, which has cost the country some £350,000, and not even yet given birth to the "code" so long ago expected from it. Lord Macaulay and other unpractising lawyers have drawn enormous salaries from this office for the last twenty-five years; yet, if we look for results at all commensurate with the outlay, we shall be literally astounded with their meagreness. Beyond a few reports drawn up from time to time, and the draft of the criminal code, refashioned by Mr. Bethune, there is literally nothing. The codes of procedure, civil and criminal, which it was proposed to pass at the granting of the last Charter, when the amalgamation of the Courts was held out as a settled measure, were prepared by an unpaid commission sitting in London, within a very reasonable space of time; but they have not yet been passed, and the promised amalgamation seems fairly shelved.

But one danger in forming the Legislative Council seems to have been entirely overlooked, and it is to this that I desire to call attention. It has become a mere body for registering the edicts of the Governor-General.\* The Chief Justice and one of the Puisne judges were appointed members of the Council, in order, as I suppose, that they might be a certain obstructive force and check upon the unconstitutional tendencies of a despotism.† The Governor-General possessed the power of

The "Friend of India" says, that if the Governor-General were to order the Legislative Council to declare every European in India answerable to Mahomedan laws, the legislature would do his bidding without demur.

† A man of the most liberal ideas might prefer to live under a despotism rather than any other form of Government, provided the despot were all wise, all good, and all prompt,—for that would be the rule of a God; but it is because men are fallible, and the best ruler is but a happy accident, that society is compelled to take such guarantees as it can for the maintenance and preservation of its liberties, as against those to whom it commits the task of governing.

calling into the Council two persons in the Civil Service;\* but it is superfluous to say that it has not been exercised. The professional legislative member, Mr. Peacock, a hard-working special pleader, is not exactly the description of person to step at once into the difficult post of legislator for India, however neatly he may draw the acts determined on. New to the country, ignorant of the languages, unacquainted with the people, his important functions shrink to the comparative insignificance of advising on dry legal points, and the almost mechanical labour of the draftsman. I never had any confidence in Mr. Peacock as a check upon the Civilian's Government; his position brought him too closely in contact with the Executive; he has a seat in the Executive Council indeed, and I never can forget how he exercised his ingenuity in straining a point to enable the Government to palm off the fraud of a five per cent. loan, under the name of a "public works loan." But the other lawyers have proved themselves, in my opinion, oblivious of the object for which they were placed in Council; let us hope from an overpowering, though mistaken, sense of the paramount importance of supporting the Government at all hazards, at such a crisis as the present. Let us remember how the Press Act† was passed without a word of dissent or argument; how some forty minutes were sufficient to shackle us with that measure; not a voice being raised to point out the fallacy of Lord Canning's reasoning, the absence of necessity for the measure, its many evils, and its little good. So, again, a whole body of the most highly penal acts‡ was passed without an observation. When the whole of the North-West provinces were in a blaze of rebellion, the simplest and the most constitutional mode would have been to have declared martial law, and a few§ of the inhabitants of Calcutta at one time actually petitioned Government that this course might be taken, as they preferred falling under martial law itself, to the danger of such provisions as had become the law of the land. But this would not suit the policy of the Civilian's Government. They had, to use the words of the "Times," "the wish to make something less

\* 16 & 17 Vic., c. 95, s. 22.

† Act xvi of 1857.

‡ Acts xi, xiv, xvii of 1857.

§ The petition was only signed by 270 persons.

than revolution out of the matter, and to preserve their own privileges and functions as far unimpaired as may be;" and the proclamation of martial law would have been a signal admission of the helplessness of the civil power. Therefore Acts xi, xiv, xvi, xvii were passed. They invest the judges, and any commissioner whom the Government may appoint, with the most unlimited power, even of life and death, without an appeal; their only merit is that they are temporary. Lord Harris has extended them to the Madras Presidency—a pretty conclusive proof of his estimation of the loyalty of the people; and I will undertake to guarantee, that a mass of oppression and injustice scarcely credible has been wrought under colour of these Acts, if only the records of the various cases are hereafter submitted to any instructed judgment for perusal. In Madras, our last-named Member of Council has been appointed from the Sudder, and he is even now knocking over judgment after judgment; I believe scarcely one can stand. These acts give the fullest scope for the action of that Civilian's hobby, "patriarchal justice," which merely means that men without an inkling of the principles of jurisprudence, innocent of any acquaintance with the elementary law of evidence, utterly mistaking the principles of "equity" (which has to answer for a multitude of sins), without practical forensic experience, or any special training, may, in each individual case, do whatever they like, without question or any check whatsoever. Yet these acts were passed by the Legislative Council without a dissenting voice. The worst case, however, remains to be noticed. When Lord Elphinstone set the law at defiance at Bombay, and having illegally arrested one Luxumon Dejah, refused to pay obedience to the legitimate authority of Her Majesty's Court of Justice, and, to cover his act, had recourse to what the Chief Justice termed a "transparent device," by making a gentleman, who happened to be a Mofussil judge, apply his official seal to warrant the detention of a person against whom no complaint was pending in his Court; and when the Governor of Bombay resisted, by an armed force, the execution of the Queen's writ, it only required a little play of the telegraphic wires to procure an *ex post facto* law, which, at the same time,

An order has been issued since this was written, prohibiting the trial of ordinary offences under the commission.

deprived the natives resident within the jurisdiction of any of the Supreme Courts of the protection and rights which they had hitherto enjoyed ! There was not the slightest plea of necessity here ; the Supreme Court would have decided the case according to law. Already, in Madras, two Mussulmen who had been surprised in sticking up seditious placards, had been committed to the sessions, found guilty, and sentenced to transportation for life. In Calcutta, the rule *nisi* for an *habeas corpus* to bring up the King of Oude has been discharged by the Supreme Court, upon cause shown by the Advocate-General ; and if there was a chance of the prisoner at Bombay escaping, because he was not legally arrested, the Government might have watched him from the door of the Court, and an Act might have been procured which should prevent the possibility of similar inconvenience for the future. Thus the supremacy of the law would have been vindicated, and the indecent spectacle of the executive setting itself above the law have been spared. The full importance of this affair may perhaps be overlooked. Arbitrary illegality, in times of trouble, is reckoned independent vigour, but it is in such times that liberty too often receives its deadliest wounds. In India we have so little liberty that we may well be jealous of its preservation ; and the readiness with which the Legislative Council passed an *ex post facto* law, at the bidding of the Supreme Government, makes us tremble, lest any illegality which the executive may commit hereafter may be thus covered and solved by the legislature. The only observations which were made by the lawyers fell from the Chief Justice, who introduced a proviso for the exemption of the British subject from the operations of the law, not on first principles, but out of deference to popular clamour, and apprehension of what might be said in Parliament. This act has shaken all confidence in the Legislative Council, as at present constituted. The functions of the two component parts of the administration are inverted ; and the Supreme Government is only rendered the more irresponsible and despotic by having so pliant a body at its back. Formerly, when the Executive had to pass laws, as well as to carry them into effect, there was a pause before altering a law, merely because judicial construction had placed upon it a meaning not palatable to the Government. The alterations would then too manifestly proceed