

of its suiting her general policy to make an aggressive movement towards that country? As to the physical difficulties, no one who has a knowledge of those that she has already overcome, or of the character of the Russian soldier, and the enterprise, skill, and ambition of his officer, will for a moment doubt, if an order were given for the advance of an army towards India, that all difficulties would be surmounted. With the roads constructed as pointed out by the late Governor-General of Turkistan, would there be any insuperable difficulty in massing troops around Bokara, and of marching from thence on Cabool *vid* the Barmian Pass? This pass, without doubt, would offer considerable obstacles. It has an elevation of some 12,000 feet above the sea, but Affghan armies, encumbered with artillery and *matériel*, have been constantly in the habit of crossing it, and have done so frequently within the past few years. And we may rest assured that should a Russian army ever make the attempt, it will be at a time of year of their own selection and with every appliance which modern engineering skill and experience has made applicable to such marches.

As to the difficulties of feeding an army marching through the countries lying between Turkistan and our Indian frontier, either the fact that enormous hordes of horsemen were maintained by the former conquerors of India, has been ignored, or a plea started that these irregular levies were easier fed, carried more, and required less than a modern army. With this plea I cannot agree. I believe that a modern army, consisting of from 50,000 to 80,000 men, highly disciplined, inured to war, and possessing a well organized com-

missariat, is more formidable and easier fed and moved in a scantily provisioned country, than a horde of from 200,000 to 300,000 horse and foot left to forage for themselves. It stands to reason that such should be the case. The regular army would draw all that the country possessed within its camp, and use the supplies with care and judgment, while the irregular army would waste and destroy all within its reach.

In drawing attention to the possibility of the above march, much of its success would, of course, depend upon the conduct of the Affghans. From our experience of them, we may safely say that they would be equally divided in opinion and action between the two parties, until they ascertained which paid the best and which was most likely to succeed, and this alone would prevent them from offering any very serious opposition to a Russian advance, accompanied possibly by a rival claimant to the throne of Affghanistan. My object has been to point out that such an enterprise if difficult is perfectly practicable. There are many who remember Napier's proposition to march from India to Bokhara, to chastise the Emir for the murder of Stoddart and Conolly. Few, I should think, doubted his success had the undertaking been entrusted to him, and there were none under his command who would not have had the most perfect confidence in his leadership, and have been only too glad to have followed him.

Besides the above route, there is that proposed by the Emperor Napoleon I., and nearly similar to one which is now said to be drawn up in the Russian War Office, *viâ* Meshed, and Candahar, in fact up the Valley of the Attruck. This line, although longer, offers

fewer difficulties than the other, and with the assistance, or even neutrality, of Persia, would be found comparatively easy. But the fact is, that if Persia wish to retain her independence, she must act in accordance with the views of Russia. She must know, or would very soon find out, that if she were pressed by Russia, England under present circumstances could afford her little material assistance; while Russia, with a powerful army on her border, can at any moment back her demands by the employment of physical force. It would, therefore, in every way be to the advantage of Persia to side with Russia in a conflict between that Power and England.

Of the practicability of what may be called the Persian route, we have many examples. I will take some few.

In Malcolm's "History of Persia," we read that Nadir Sha, in 1737, marched at the head of an army of 80,000 men, with guns and mortars, through Kho-rassan and Siestan to Candahar, during which he is not said to have encountered any great difficulties. From Candahar he marched to Delhi, and returned by Sind to Herat. His army, laden with plunder, resting in this city for a short time, he made a succession of rapid marches to Bokara, which he conquered. He then brought under his sway the country lying on each bank of the Oxus, as far as the Caspian Sea. In later days large Persian armies have, we know, marched between Teheran and Herat. And within the last thirteen years Affghan armies, from Cabool and Candahar, have marched to the same city, while, comparatively recently, Shere Ali Khan, the present Ameer,

marched from Herat, fought a battle on the Helmund, in which he defeated the troops of Afzul Khan, and occupied Candahar, all within a period of three weeks. To suppose, therefore, that a Russian army could not march by this route, is to suppose that they are inferior in matériel, general organization and enterprise to Persians and Affghans.

That the above route is also well known to the Russian War Office we may be certain. For a Russian Colonel, with a staff of 12 officers, was employed during the year 1858, in surveying the province of Siestan and the different roads leading to India. The headquarters of this mission, called a scientific one! was stationed at Herat, and interesting accounts of its proceedings may be found in the narrative of a trip made by the present Colonel Pelly, of the Indian Army, from Teheran to Kurrachee.

Having thus pointed out the practicability of a Russian advance by this route, I may add my belief that it would be attempted only to counteract the action of England in opposing Russian designs upon Turkey, and not for the mere lust of conquest. In making any serious advance from any direction, Russia would feel that she would have to encounter the full power of England; and that even if she gained a footing in India, it would be after such losses and exhaustive exertions that the chances of her being able to retain her position would be very doubtful.

Nevertheless the fact of her making a feint of attack by assembling troops at Bokhara, and on the banks of the Caspian, for that ostensible purpose, would have a most disturbing effect throughout India.



It would compel the assembling of a powerful European army in the valley of the Indus; and render India not only incapable of affording any assistance to England in a European struggle, but would force her to draw largely on her resources both in men and material, and would thus so weaken her political position in the councils of Europe, as to prevent her from exerting any effectual opposition to Russia in that direction. In such a struggle India would not only have to maintain a large European frontier army, but an equally powerful reserve within India. We may rest assured that every effort would be made by Russia to foment rebellion there, and that her efforts to do so would be aided by a large portion of the fifty million Mahommedan inhabitants, to whom Russia might hold out hopes of obtaining sovereign power in the event of their throwing off the English yoke. This class might well look towards her as a superior power to ourselves should she succeed in establishing herself at Constantinople as well as at Bokhara.

This Mussulman element in India has always been looked upon as one of our weakest points. Late events which have come to notice while we were engaged in war beyond our frontier have not tended towards our placing much faith in the loyalty of this section of our Indian population.

There is yet another weak point in our Indian administration which might be mentioned here as not irrelevant to the subject, and that is our Native army. Its organization is not such as to allow us to hope that it would bear any considerable strain, particularly when our *prestige* as a paramount Power

might be in danger. The feeling which existed in former days between the European officer and the native soldier, and which engendered that *esprit de corps* which made the native, when well commanded, nearly equal, and in many cases, except in the very struggle of battle, superior to his European comrade, no longer exists.

The European Officer is now transferred from one corps to another. His great aim is, on the first opportunity to leave the regiment with which he may be serving, and to obtain a higher position, with greater emoluments in another one. He can, therefore care little for those under him, and with such a system he cannot be expected to do so; while the effect is to create a feeling of discord throughout the army.

There are fortunately exceptions to this. A few frontier corps are commanded and officered by selected men, and are very efficient. But even for these I understand that a daily increasing difficulty arises in procuring good officers.

In the above remarks I have merely touched upon those points which are most prominent, and which in the event of the circumstances arising, as suggested in this paper, would be the first to demand our attention.

There are also many other points in our general system of government to which a remedy must be applied before we can be able to depend implicitly upon the loyalty of our Indian subjects in case of dire necessity. Of the many measures which it has been proposed to adopt to ensure the safety of India against

Russian aggression, or the effects which any attempt at such might cause, that which is the most popular and obvious to suggest is that of governing the people entrusted to our rule so as to make them feel that any change of Rulers must be for their disadvantage. Such a suggestion is always easy to make and sounds well ; but to rule a population of over 200,000,000 of different castes and creeds, and to so adjust our laws and taxes as to suit the feelings of the greater portion, and to make them feel that they have obtained in us the government best suited to their general wants, is a most difficult matter. Nevertheless the attempt to do so is always in the right direction. If we could only make the natives of India believe in our honest and earnest attempt, much would be gained, and the chances of rebellion in case of war proportionally lessened. We may, therefore, take this measure as one against which no one can say a word. And the more we earnestly strive to carry it into effect the less we shall have to dread the effect of any hostile pressure from beyond our frontier.

The next measure is more practicable. It consists in taking up such strategical positions beyond our North-west frontier as will render India safe from outward attack. To explain how this can be brought about, a short examination of our North-west frontier line will be useful.

Beginning from the extreme right or most northern point, we have the valley of Peshawur garrisoned by about 10,000 men of all arms, surrounded by high mountains which are inhabited by a number of brave, hardy, and independent tribes. owing allegiance

to no one in particular, always at feud amongst themselves, although capable in certain cases and under certain circumstances of combining against a common enemy. Further south we come to a short pass which joins the valley of Peshawur to that of Koha, when our next garrison is planted. This pass is held by certain tribes to whom we pay a subsidy for keeping it open. We then come to Bunnoo, and in succession to the frontier stations of Dehra, Ismail Khan, Dehra Gazee Khan, Rajumpoor, Jacobabad, and Kurrachee. To garrison this line of about 1,200 miles, we have in addition to the force at Peshawur, the Punjab Irregular Force of about 12,000 men of the three arms; the Sind Frontier Force, 2,000 strong; and the garrison of Kurrachee, where there is always stationed European Infantry and Artillery. The two points in this line most strongly held are Peshawur and Jacobabad. This is necessary as the Kyber Pass debouches, near Peshawur, leading from Affghanistan to India; and as the Bolan pass enters India near Jacobabad. Kurrachee is the port of this line, along the whole front of which runs the Sooleman range of Mountains, and along the rear, the river Indus. This river has one bridge of boats connecting the valley of Peshawur at Attuck, with the Punjab, and is fordable at no point below that.

The question now is:—Should we remain as we now are, posted along this line, or take up certain strategical positions beyond it? If it should be decided to thrust posts in advance, doubtless the points selected from which to do so would be Peshawur and Jacobabad, as covering the only two passes leading from the west

into India ; and the positions selected would be Jellalabad and Quetta. Before dealing further with this question, I will describe the rude tribes immediately to the front and inhabiting the passes above mentioned.

Those bordering the Valley of Peshawur and skirting the pass leading to Jellalabad down to Dehra Ismail Khan, are Patan tribes, bold and fierce mountaineers, numbering perhaps 200,000 men. In many a border fight they have shown their high courage and contempt of danger ; and at the severe fighting at the Umbeyla Pass they taxed the metal and endurance of our most renowned British regiments. These tribes are mostly composed of footmen, and reside in fixed villages, built on the slopes of their mountains, or in the valleys in which they grow grain and graze their flocks. They are all Mahommedans by religion. They are therefore capable of being worked up to the highest state of fanaticism by their priests.

To occupy the Valley of Jellalabad, we should have to pass through and leave in our rear the most dangerous and most numerous of these tribes. We should also leave in our rear some of the most difficult defiles of the Kyber Pass. And having arrived at Jellalabad, we should be still in a valley surrounded by similar mountains, inhabited by the same warlike tribes, while the communications with Peshawur would always be most precarious. In fact, to deal with these tribes with any hope of success would be most difficult. They are the most intractable people of the whole border country. The necessity of sending such frequent expeditions amongst them has proved this, and, not-

withstanding they are as unyielding and as little amenable to our rule as ever.

It appears to me, therefore, that to place a force in their midst would be to place it in a position of great jeopardy, and that, consequently, our safest plan in this point of our line is to continue to hold the Valley of Peshawur in force, and to complete, as soon as possible, the railroad to Lahore, so as to be able to reinforce the Peshawur garrison in the shortest possible time.

From the south of Dehra Ismail Khan to Rajum-poor the Patan tribes gradually merge into the Belooch. From thence to Kurrachee we find the pure Belooch intermixed with the Sindee and Brahoe. These races differ in every respect but religion from the Patans, and are far more tractable and amenable to the influences of civilization. Our first connection with them began during the Affghan war, in 1838. The conquest of Sind brought them still more under our influence, and constant intercourse and a common interest has made them perfectly subservient to our rule. In the midst of these tribes are situated the town and cantonments of Jacobabad and the head-quarters of the Sind frontier field force.

This is the next point from which an advanced post might be pushed forward. It is to be remarked that along the whole mountain tract from Peshawur to Kurrachee, there are at intervals passes practicable for camel and mule traffic, but the Keyber and Bolan are the only two main roads leading from the plateau of Central Asia to British India. Jacobabad is situated thirty miles north of the city of Shiharpoor, in Upper Sind, on the edge of what is called the Sind Desert.

now fast coming under cultivation, until only a strip of desert about twenty miles in breadth remains to the north of the town. After crossing the desert, we arrive at the province of Cutch Gundara, and then to the towns of Bagh and Dadur. This latter town is situated at the entrance of the Bolan Pass, and is distant about sixty miles from the British frontier. From the town of Dadur to Quetta, through the Bolan Pass, is about seventy miles more.

The cantonment and town of Jacobabad was first established by the late General Jacob in the year 1847. On arriving there at the head of a body of 800 irregular horse, he found everything along the British frontier in a state of the wildest confusion and anarchy. No man's life was safe, and the constant raids of the Belooch, to the number at times of 1,500 horsemen, rendered all attempts at cultivation within the British frontier a useless and unprofitable labour, while the cattle of the cultivators were constantly driven and their habitations sacked. The village of Kanghur consisted of a few mud huts and a mud fort, while water, and that brackish, was only procurable from a solitary well. The country around was a sandy waste, with a climate considered the most deadly in India, the thermometer rising in tents to  $130^{\circ}$  during the summer, or for nearly eight months in the year, while a scorching wind, frequently accompanied by the fatal simoom, proved deadly in the extreme. Most men would have shrunk from such a position. Fortunately for the Government, in Jacob they possessed a man who knew no difficulty, and who gloried in undertaking a work in which all before him had failed. Of iron

nerve, fearing no responsibility, possessing very high abilities, with great tact, firmness, and judgment, he threw his whole energy into his work, instilling his own spirit into all under him, both European and native. His first act was to disarm the people living within British territory, so as to take from them the power of retaliating on the hill men, and thus to put a stop to the bloody feuds between them. By this means he also taught them to look to the British for protection, and not to take the law into their own hands. And he soon proved to them that he was able to afford the protection which he had promised. Wells were then sunk, tanks excavated, and irrigational canals cleared, in which water was brought from the Indus. Trees were planted, roads constructed; and while all these useful works were being carried on, plunderers were treated with the most uncompromising severity. His cavalry patrols were everywhere. Climate and hardship were set at naught. Frequent conflicts took place between his men and the robbers, in which the latter were always sorely worsted, until one day the present Sir William Merewether, then one of Jacob's Lieutenants while out patrolling with a squadron of Jacob's horse, came across a large body of plundering Belooch, 600 of whom he left dead upon the field. That day broke their spirit for ever. In the meantime confidence within the territory was being gradually restored, and in due time all was peace and plenty. In a space of ten years Jacobabad had grown into a town containing some 10,000 inhabitants, with shops of every description. The cantonment, buried in trees, became one of the prettiest in India, and the annual revenue of



the district, from being nominal only, reached to upwards of 20,000*l*.

Such results caused the man who obtained them to exert the usual powers which a master mind never fails to exert over semi-barbarous tribes. They all looked up to Jacob as superior being; and his influence was felt and acknowledged in every corner of Beloochistan.

As peace and prosperity followed on his wise administration, he moved about amongst the people, making surveys of the surrounding border country, through the whole of which he had frequently passed during the Affghan war of 1838-9. He also, at the request of Lord Dalhousie, concluded a treaty, most advantageous to British interests, with the Khan of Khelat, in which by the annual payment of 5,000*l*. on the part of the British, a fixed tariff on all goods passing through Beloochistan was arranged. By this means, much vexatious trouble and loss of time was saved to merchants passing to and fro between Central Asia and British India. Protection from robbers was also afforded to all traders, and with such effect, that from the date of the signing of the treaty to the date of my departure in 1868, no robbery occurred worthy of note, although the value of the trade must have been very considerable.

In the year 1856, the war with Persia broke out, and Jacob was called upon to take an important command in the army dispatched from Bombay to the Persian Gulf. One of the causes which led to this war was the occupation, by Persia, of the fortress of Herat. Our aim was to compel her to relinquish the



fortress, as it was believed that she had seized upon it at the instigation of Russia, with a view to handing it over to that power on some future occasion. Jacob was of opinion that the results we required would be far better accomplished by our establishing ourselves permanently at the North entrance of the Bolan pass, in the Valley of Quetta, and by it, if necessary, acting against Persia, in that direction. This proposition was made after long years of study of the subject, and a thorough knowledge of the people and country in which the position he proposed to occupy was situated, as well as of all its political bearings of the question. His views were, however, overruled. Five millions of money were spent on the shores of the Persian Gulf. And eventually a peace was patched up in Paris, Russia having, it is generally understood, intimated that any advance of the British force towards the interior of Persia, would lead to her espousing the cause of that country.

At the close of the Persian war, the Indian rebellion, or rather the mutiny of the Bengal army, broke out. This had long been foretold by General Jacob, who on leaving the Sind frontier to take up his command in Persia, handed over charge to Sir William Merewether, and under him the system that had been established, was tested to its utmost, and with excellent results during the most eventful period of the mutiny, when the power of England appeared about to fall for ever. Sind had been denuded of European troops and Merewether had at his command a very small force of native troops. And at the time he was trammelled by the presence of a Bengal Regiment of

Indian Cavalry, whose loyalty was known to be doubtful. The Persian Government was strenuously urging the Khan of Khelat to push on his Belooch tribes, and "drive the pale faced infidels into the sea," yet, throughout this terrible time, Merewether, with a courage, firmness, and judgment, deserving of far higher reward than he ever received, held all quiet until the return of Jacob.

General Jacob, on his return to his post, despatched another of his lieutenants as political agent to Khelat, situated in the midst of the Belooch Mountains 7,000 feet above the sea, with a small escort of just 25 horsemen. Delhi had not then fallen, and this action proved the confidence which he reposed in the influence he exerted over the tribes, and his thorough knowledge of their character. The duties of the officer thus sent among them, was to remain near the young Khan, their ruler, and by his presence and advice to assist him in maintaining control over his people, until the struggle still going on in India should be closed. This officer was enabled to maintain tranquillity among the Belooch until the final triumph of the British arms at Lucknow. But with the closing scenes of this fearful struggle Jacob died, worn out by anxiety and the effects of an uninterrupted service of 30 years in India, most of which, it is to be noted, had been passed in the field, or the frontier of India, and in the countries beyond. No man ever gained the confidence, love, and respect of those who served under him, more than did this gallant soldier and able administrator. Time has in no way diminished the feeling among the natives as to what Jacob said and did:

and these are still common themes of the wild Belooch. Jacob was succeeded by his most trusted lieutenant, Merewether, and the same officer who had before been sent to Khelat returned there, accompanied by his brother, an accomplished soldier and excellent surveyor. For three years they resided in the country beyond our frontier, moving about in all directions, examining and mapping the country, studying the history of the people, and visiting many interesting localities never before or since visited by Europeans, and amongst other interesting events, tracing for some distance Alexander's famous march through Mekran. During the whole of this time nothing could exceed the hospitality and attention they met with from the inhabitants of the country. A slight sketch of their history and habits might be useful, as an erroneous comparison has been drawn between them and the Patan tribes, more to the north. The Patans reside, as before stated, in fixed villages, and were generally composed of footmen. The pure Belooch on the contrary, live in tents, moving about according to the season, or in charge of their numerous flocks, from pasturage to pasturage. On their predatory excursions they are generally mounted on small but very blood mares. In appearance they are dark complexioned, wiry, and small boned, forming the greatest contrast both in look and temperament to the large limbed, fair faced and blue eyed Patan. Their traditions point to an Arab descent, and to their having originally come from Aleppo about the twelfth century, *via* Bagdad, the banks of the Euphrates, and the northern border of the Persian Gulf to Mekran, their present

locality in Beloochistan, from whence they again spread north, intermixing with the Patan tribes. In support of the above tradition the writer when travelling in Syria found many tribes bearing the same name as those now found settled in Beloochistan, and their similarity of customs, habits, and appearance to the Arab is such as to leave little doubt of the fact of their descent from that race. The Brahoe tribes, also scattered over Beloochistan, are doubtless aboriginal inhabitants of the country, and show by many of their customs that they have sprung from Hindoo forefathers who were probably converted to the Mahomedan faith by some of the first conquerors of that persuasion who entered India. Again, in the same country may be found the Sakoe and Sadjadee, pointing to Scythian ancestors. They are located in the line of march of Alexander, and may, therefore, be descended from some of the tribes who formed a portion of his army. At the northern entrance of the Bolan Pass are found the Coords, whose ancestors formed probably a part of Nader Sha's army.

All these tribes, numbering about 40,000 men, nominally owe allegiance to the Khan of Khelat. This Prince, or rather his ancestors, owed allegiance to the rulers of Affghanistan, who assisted them with troops when required, to maintain their power over their tribes. The Khelat Khans in return were bound to furnish the Affghan monarch with a certain quota of men when called upon. Since the conquest of Sind and the Treaty concluded with the brother of the present Khan, by Jacob, he has sided entirely with us, and notwithstanding internal disturbances within his

country, and efforts that have been made by both the Afghan and Persian rulers, to detach him from the British alliance, nothing can possibly have exceeded his loyalty, and he has always used every effort to meet the wishes of the British Governments. So much is this the case that the country may in fact be almost considered as a portion of our own territory. And as Quetta and the whole of the Bolan Pass belong to that country, the importance of this condition of affairs will be apparent. This lengthy digression has been made to show that both Jacob and those who served under him, and in succession succeeded to his command, were fully acquainted with the country, of which I am writing, and that any views or schemes advanced by the late General, and again mooted by his successors were deliberately formed by men possessed of special and most intimate knowledge of the country.

Jacob's propositions regarding an advanced post at Quetta, are principally embodied in letters written by him to Lords Canning and Elphinstone in 1856-7.

"I have," he says, "for long past thought over the subject of the arrangements proper to secure our north-western frontier of India permanently in such a manner as to obviate the necessity of any alarm, unusual stir, or hasty operations of any kind, in consequence of movements of enemies, or possible enemies, from without. At present it appears to me that we are in a great measure in the position of a mighty army without any outposts of any kind. The whole host is liable to be perplexed and disturbed to its centre, even by any small body of adventurers, who may confidently approach its unwieldy strength with impunity. It seems to me that we now have the best possible opportunity of remedying this state of things, an opportunity offering a

combination of circumstances favourable to our purpose such as must very rarely occur. Beloochistan is entirely at our disposal, the people being really most friendly towards us, and, since the late Treaty with Khelat, more so than ever; Dost Mahomed and the Affghans generally are inclined to favour our advances, and the fairest possible reason for precautionary measures on our part exists in the Persian advance to Herat and through Siestan; while we have peace throughout the old provinces of India and in Europe, with perfectly settled tranquillity in Sind and in the Punjab. There are but two great roads into our Indian empire from the north-west; but two roads in fact by which it is possible for a modern army to march. One of these, the Bolan, lies through an entirely friendly country. The Khelat territory extends to Pesheen, forty miles beyond the head of the pass, in the table land of Affghanistan, and is inhabited by Belooch and Brahoodee tribes, who are of an entirely different race from the Affghans. The road through the Bolan is even at present, generally good, and sufficiently easy for an army to proceed by it, with all its artillery, stores, &c. This road is also the shortest from Herat to British India, and is the natural outlet to the ocean of the commerce of a very large portion of Central Asia. From the foot of the Bolan, one continuous and almost dead level plain extends for nearly 600 miles through Kutchee and Sind to the sea. The only other great road, the Khyber, is very differently circumstanced. The people are unfriendly and barbarous, the country is far more difficult, and the distance greater, while there is already a strong division of our army at Peshawur, so that we are tolerably well secured in that quarter, quite sufficiently secured indeed, under the arrangements contemplated by me, because from Quetta we could operate on the flank and rear of any army attempting to proceed towards the Khyber Pass; so that, with a British force at Quetta, the other road would be shut to an invader, inasmuch as we could reach Herat itself before an invading army could even arrive at Cabool. Such a position would form the bastion of the front, attacked, and nothing could,

with hope of success, be attempted against us until the salient were disposed of. We may, I think, then leave the Khyber without further discussion of the particulars of this road at present, and confine our attention to the Bolan. The more the matter is considered in all its bearings, relations, and consequences, the more certain it will appear that there should be a good British force at Quetta, a good made road from that place through the Bolan Pass to Dadur, and thence continued through Khutchee to the British frontier, to connect with the lines of road in Sind. The portion of this road from Dadur to the sea must, I think, eventually become a railway, but probably not till a very long period has passed by. When we were fairly established at Quetta, we might, I think, then subsidize the Affghans with advantage, but *until we were so established* such a measure would, it seems to me, be unwise. The Affghans would not be true to us if we really required their services, and might probably turn against us the very means with which we had supplied them. Such a proceeding would only be characteristic of the people. But, in the first instance, on commencing the arrangements for establishing ourselves at Quetta, in addition to the subsidy now payable to the Khan of Khelat, under the present Treaty, I would take into our pay a body of his troops, both horse and foot, to be entirely under their own officers, and managed in their own fashion. Such wild irregulars are invaluable *when there is a certain force of our own soldiers*, to form a nucleus of strength, and give tone to the whole. Such a nucleus would be formed by the Frontier Field force, which I have proposed for Sind, and these troops of Khelat would completely connect us with the people of the country generally—a point of great importance. They would take the ordinary escort duties, and such like, and would perform all the work which the Cossacks do for the Russian Army, which is that which in general our regular soldiers perform the worst, and which is that by which they are most exhausted and demoralized. The numbers of these auxiliaries could at any time be increased to any extent thought proper, their employment



would make us in a great measure independent of the Affghans, while the enjoyment of regular pay by the Khelat people would have great influence on the Affghans generally. All would be anxious to obtain the same advantages, while our evident strength independent of Affghan aid, in their immediate neighbourhood would be the best security, for their good faith. We might then, if we pleased, and it were necessary, safely, and with advantage, subsidize all Affghanistan with money and arms, and the propriety of so doing would, under the proposed conditions, be in no way dependent on the success or on the life of Dost Mahomed, nor would there then be much danger or possibility of our subsidy being misapplied to the prosecution of internal feuds, for such abuses could not occur without being immediately known to and checked by the political agent at Quetta.

“If we really intend (as I always suppose that we do really intend) to be fair and just to all men, and to conduct our public proceedings towards other states and other people, according to the principles which guide the intercourse of honest men in private life, the true interest of Affghanistan must be one with our own, and be felt to be so by all its people. If all distrust of us be removed from the Affghan mind, as it has been removed from the minds of the Government and people of Khelat, the whole country would aid us heart and hand, and an invasion of India *would be impossible*. The invaders would be starved or destroyed in detail.

“The confidence in us and the perception of their own interest being identical with ours, which would certainly be engendered in the minds of the Affghans by the development and full operation of the means proposed, would constitute the surest and indeed the only needful precautions required. The amount of subsidy would be determined by the course of events. But it is certain that the state of feeling towards us among the Affghans would depend on our real intentions towards them. It is useless to attempt to conceal these from the cunning Affghan, but straightforward honesty and justice, if habitually exercised in accordance with our real nature, exert irresistible contr<sup>o</sup>l at all times over all Asiatics,

and they will do so in this instance, although we must expect at first to have to undo the evil caused by the impressions left by our proceedings and practices during our former invasion and occupation of Affghanistan. But however well disposed they may be or may become towards us, neither Affghan nor Belooch will obey or live at peace with their equals; the tribes have endless and deadly feuds with each other, and if left to themselves, or only supplied with arms and money by us at a distance, they could not be kept to any combined purpose or long-continued effort. The greatest public considerations would always be postponed to the gratification of private revenge or personal pique. No good effect would be produced by our assistance, and the means supplied would be wasted in unworthy quarrels and intrigues.

"The English mind, to whose leading all these wild spirits will bow, must actually be present among them, and a sufficient British force be on the spot to support moral power and dignity, and to give tone to the whole. There is nothing in the arrangements proposed by me in the least degree resembling our first proceedings in Affghanistan.

"We should in the present case occupy a position in the undisputed territory of an ally, with his most cordial assent and approval and to his great advantage. We should offend or threaten no one whatever, save those who came to attack and invade our Indian Empire. We should have all the people of the country with us.

"Our worst enemies could not reasonably object to such a move on our part. Russia, it may be said, might on our move found an assertion of right or necessity of advancing on her side to Khiva, or elsewhere. Be it so. I would not make the smallest objection.

"Those know but little of Russian policy who imagine that most plausible pretexts would ever be wanting, when she thought that she could move with advantage.

"If Russia bring with her advance a better civilization and a higher moral tone, if she introduce European honesty,

European ideas, and European commerce into Central Asia, the better for us. All that tends to good must ultimately be for our advantage—for the advantage of free England. But can Russia do this? Will she, can she make known to the clever Asiatics a better, nobler, and higher moral power than they are now acquainted with? I much doubt this. If Russia attempt to proceed by violence, injustice, and falsehood, she will exasperate the whole people against her, and will entirely fail, or will at all events be powerless against us, with the people on our side.

“In any point of view, and under any circumstances whatever, the arrangement on the frontier of India, can never be wise or safe while, *as at present, the undisturbed tranquillity of this vast empire is dependent, not on its own mighty internal strength, but on the forbearance of our enemies or neighbours outside.* I would remedy this at once, effectually and permanently, by establishing ourselves firmly, and in sufficient force, in a position, the mere possession of which would preclude all possibility of successful invasion; which would give us, by moral influence, a full control over Afghanistan, establish the most friendly relations with us throughout the country, and which would ere long bring down a full stream of valuable commerce from all Central Asia to the sea.

“The resources of the Khelat State are considerable. If the Chiefs were united, as they formerly were, against us, they could bring 40,000 good men into the field; but their Government and nobles generally are very poor, and their whole social framework was dreadfully shaken by our proceedings with regard to their former head. Much has however lately been done to remedy the ill-effects of these proceedings; and the great want now in the Khelat State is an able man to guide the councils of the Khan.

“Were we established at Quetta, as I have proposed, all the resources of Beloochistan would be completely at our disposal, while none would be wasted. And though assistance in arms and money from us may, and probably will, enable the Khelat people for a time to prevent the Persians

from overrunning or establishing themselves in their country, yet I am quite convinced that Beloochistan, if seriously invaded by a regular army of Persians, under Russian guidance, will not be able successfully to resist without the aid of European minds from our side to direct its force.

"I am convinced," Jacob continues, "that no other measures than such as I have proposed can possibly secure our Indian frontier, and that some such measures must of necessity be ultimately adopted.

"Unless we do advance in the direction indicated, it is doubtful whether ultimately even Beloochistan may not fall under Persian and Russian influence. And with regard to Affghanistan, if we do not so advance, there can be no reasonable doubt whatever but that Candahar must ere very long become a Persian, that is a Russian, province.

"The cleverness, activity, watchfulness, and steady perseverance of Russia in such matters are well known; but these powers will fail before us if we proceed with open honesty and wisdom. Success is now in our hands, and may be commanded with ease. Our position may be permanently secured with perfect safety, and with comparatively trifling labour and cost. But if we remain idly looking on from the Valley of the Indus at the movements going on above the Bolan, we shall, it seems to me, be throwing away the fairest possible opportunity of settling for ever the question of the Invasion of India by Russia; and the results will be, it seems to me, ultimately such as no English statesman would like to contemplate.

"The pecuniary cost of supporting the troops, after the first outlay on account of quarters and public buildings, would be absolutely nothing beyond their regular pay. The proposed roads, and the other arrangements for the forward move generally, would ultimately be a source of commercial profit; while as to other considerations, I may observe that such civil Government as we already exert in Kutchee, through the political superintendent on the frontier,

we should continue to exert; but it would not be at all necessary or advisable to assume, in these respects, greater power either in nature or extent, than we now virtually possess and exercise. Indeed, it seems very probable that it would not be found necessary that any other troops should be permanently posted there; for with the means of communication and transport which I propose to establish, any force of regular troops which circumstances might call for, could with ease and rapidity be sent from Sind, or the old provinces of India, to Quetta.

“In a financial point of view, as I have already observed, the cost of the proposed measures, when compared with the results, would be positively trifling; and in considering the cost of *these* arrangements, it may be well to bear in mind, also, the cost of such expeditions as that now being undertaken against Persia by sea, and the value of the stake which the arrangements proposed by me are intended to secure to us. This value is, I am fully convinced, commensurate with that of our Indian Empire.

“You wish,” Jacob adds, “the red line of England on the map to advance no further. But to enable this red line to retain its present position—to prevent its being driven back or erased from the map—it is, it appears to me, *absolutely necessary to occupy posts in advance of it*. I cannot see how, consistently with safety, it can ever be otherwise with regard to a great empire, held by a foreign Government, as we hold India.

“If our deeds be true and just, no consequence whatever need be feared. But supineness on our part now would, it seems to me, be most unjust towards India. A war within our own territory, with a European enemy, might be ruinous to our reputation, and might entirely undermine our strength, although that strength might have sufficed successfully to meet a world in arms in a field *beyond* our own boundary.

“A severe struggle within our own established and long settled limits with a powerful invader, although attended

with immediate success to us, might shake our power in India to its very foundation, might certainly for a while overturn all our civil arrangements, destroy our revenue, and render it necessary to maintain large armies in the field in the interior of our dominions for a protracted period, in order to restore that internal tranquillity which might not be in the *least* disturbed even by *many* battles fought beyond our frontier, and which would be completely preserved by the arrangements which I have contemplated."

The above was written fifteen years ago. Russia has in the meantime advanced her outposts to the south of Bokhara at Samarkand towards Balk, and her official organ openly states that in case of an Eastern war—

"Turkistan will form an excellent base from which to operate against India."

Persia has established herself in Siestan, and commands the road to Candahar, while we still "remain idly looking on from the valley of the Indus on the movements going on beyond the Bolan."

The question of the construction of the Euphrates Valley Railway has again been brought under serious discussion since Jacob wrote. By this railway the Mediterranean Sea and the head of the Persian Gulf would be united; an alternative route with the Suez Canal formed to India; and Kurrachee, the left flank of our frontier line of defence, secured as a base, the nearest possible to England in case of attack. This undertaking has been sanctioned by the warm approval of Lord Stratford de Redcliffe, the most shrewd and observant of our diplomatists, more particularly in all matters relating to the East. It has also met with the same support from Lord Strathnairn, a soldier of

the highest order, as well as a skilled diplomatist. Such an undertaking, combined with the occupation of Quetta, would render England still more secure from any fear of a successful attack by Russia on her Indian Empire. England might then contemplate the advance of that Power in Central Asia without any feeling of uneasiness. She might continue her efforts to secure the good-will of her Indian subjects by judicious administrative reforms, without the fears of being constantly checked by panics caused by the reports of Russian successes in Central Asia, and her daily, nearer approach to the Indian frontier. With the proposed two schemes completed, or even in progress, combined with the unanimously expressed determination of England, as lately uttered by the whole press of the country, to fight for India with her whole strength, every native would feel that come what might England would be prepared and able to throw her full power into the defence of her Eastern Empire. The completion of such measures would also tend greatly to secure the alliance of Turkey, Persia, Afghanistan, and Beloochistan. The alliance of these four Powers would be most essential to Russia as an enemy towards India.

Their alliance would also be most essential to us in dealing with Russia, and to each of them the accomplishment of the proposed schemes would enable England to afford material assistance within a few days to Turkey and Persia by the Euphrates Valley Railway; and to Afghanistan and Beloochistan by the occupation of Quetta, and the formation of a line to Dadur. The combined schemes would allow England to reinforce any point on her Indian frontier

which might be threatened, direct from England, while the garrison proper of India need not be unduly weakened by having to dispatch an army beyond the Indus, and thus invite disturbances in Hindostan.

To carry into execution the proposed arrangements would, beyond doubt, be very costly at first; but might they not by proving to Russia that we were prepared to meet her with every advantage on our side, arrest her progress and prevent a fearful struggle for supremacy, a struggle that would certainly cost untold millions of money? Again, with reference to the occupation of Quetta, the removal of all vexatious transit duties on merchandize entering India; the rendering the Bolan Pass safe and secure for the passage of merchants and their goods; the connecting its entrance into India, by rail, with the sea port of Kurrachee, would very soon increase the trade between Persia, Central Asia, and India, to a very considerable extent, and enable English goods, even *via* the Suez Canal, to find their way into the bazaars of Cabool and Bokhara two months after leaving Manchester.

That the Euphrates Valley railway would in time restore to the once fertile plains of Mesopotamia, their former fertility I consider also unquestionable. Before concluding I would ask whether it would not be within the power of diplomacy to invite Russia, in a friendly spirit, to limit her advance in Central Asia, to a certain parallel of latitude, say the 40th. To roughly insist upon a proud and haughty nation, backed by a million soldiers, to stop at a boundary fixed by us, would be to challenge her to instant action. But if her object is as stated, merely commercial and the ad-



vançe of civilization, the proposed limits need not be passed, and as it would not necessitate a retrograde movement on her part, she might acquiesce in such a limit, supposing she has no *arrière pensée*. The proposal might be clothed in such diplomatic language as would allow her to understand that any advance to the south of the parallel of latitude must lead to evil consequences. And Russia seeing England, by her preparations as proposed, and the unanimous voice of her press on the subject, determined to fight to the last for her Indian empire, Diplomacy might be enabled to settle the Central Asian question for ever.

Finally, I would summarize my proposals as follows :—

The occupation of the Valley of Quetta in Beloochistan. The connecting by railway, as an essential part of that scheme, the town of Dadur, situated at the entrance of the Bolan Pass into India, with the Indus railway system at Sukkur, on the Indus: The connecting by railway of the Mediterranean Sea and head of the Persian Gulf, thus forming an alternate means of communication to India, with the Suez Canal, and rendering England independent of the Canal. The proposal to Russia to limit her progress towards India at the 40th parallel of latitude

HENRY GREEN.

January, 1873



# POLITICAL & FINANCIAL REQUIREMENTS OF BRITISH INDIA,

AS SET FORTH IN A PETITION OF THE BRITISH  
INDIAN ASSOCIATION OF CALCUTTA TO  
BOTH HOUSES OF PARLIAMENT.

BY

JOHN DACOSTA.

London:

W. H. ALLEN & CO., 18, WATERLOO PLACE, S.W.

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1880.

PRICE ONE SHILLING,



16, Manson Place,  
London, 5th August, 1880.

Sir,

*The numerous petitions which have been received from India during the last two years, praying for inquiry into the administration, or for relief or reform, cannot fail to awaken serious concern, when they are viewed in conjunction with the increased taxation simultaneously imposed in that country, and with the growing discontent among its people, of which we have so frequently heard of late.*

*Under these circumstances I have ventured, in the accompanying paper, to draw attention to the latest petition which has arrived from India, addressed to the two Houses of Parliament. While the Prayer of the Memorial and the suggestions contained in it are marked by a rare degree of moderation, it would scarcely be possible to exaggerate the importance of the questions raised in it, or the critical condition of things which has led the petitioners to seek relief at the hands of Parliament.*

*My endeavour, in the accompanying pages, has been*

to present the principal features of the petition in a concise form, and to offer such explanations on the subjects reviewed in it, as seemed to me likely to assist in the formation of a correct judgment regarding them. I shall esteem myself amply rewarded for the pains I have taken if what I have stated can induce you to give due consideration to the memorial from India, and to use your influence in urging Parliament, after a full discussion of the important matters submitted in that document, to deal with them as may then appear just and expedient.

I have the honor to be,

Sir,

Your most obedient Servant,

J. Dacosta.

To Dr George Smith C.S.E

## POLITICAL AND FINANCIAL REQUIREMENTS OF BRITISH INDIA.

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THE Petition of the British Indian Association of Calcutta states that, in the time of the East India Company, the periodical renewal of the Company's Charter afforded opportunities for inquiring into the condition of the people and the effects of the measures and laws which had, from time to time, been carried out and enacted; that the evidence thus collected by the Parliamentary Committees of 1813, 1833, and 1853 offered valuable suggestions and resulted in improved administration; that no comprehensive inquiry has been held since 1858, when the Government of India was transferred to the Crown; that important changes have meanwhile been introduced for the better administration of the country and the good of the people, which have in many instances been attended with contrary results; and that the tendencies and effects of the recent policy of administration pursued in India have, by constant changes in law and interference with vested rights and interests, unsettled the minds of the people and evoked dissatisfaction and discontent throughout the length and breadth of the land.

The Petition prays, therefore, for the appoint-

ment of a Commission to inquire into the general condition of the country, and suggests certain measures of reform which may be summed up under the following heads:—

- I. The non-official members of the Legislative Councils to be elected by the people, and the deliberations of the Councils to be extended to financial matters.
- II. The expenses of the Afghan war to be borne by England and India in fair proportions.
- III. The establishment of improved intermediate Courts of Appeal, and a revision of the new Criminal Procedure Code.
- IV. The removal of the obstacles which prevent natives from entering the Civil Service on the terms of the Charter of 1833 and the Queen's Proclamation of 1858.
- V. The repeal of the Vernacular Press and the Arms Acts.
- VI. Permanent fixity of the land tax in those provinces where such fixity does not at present exist.

*I.—Non-official Members of the Legislative Councils.*

Under the Councils' Act of 1861 (24 and 25 Vict. cap. 67) non-official members have been admitted in the Legislative Councils for nearly twenty years; but the experiment has not been attended with the desired success, owing partly to

rulers of native principalities and their ministers having been appointed members, although they were not affected by the laws enacted by the Council in which they sat, and had therefore no direct interest in its deliberations ; and partly to the ambiguous position of the other non-official members who, while they were supposed to represent the people, could scarcely help, as Government nominees, feeling, in some measure, bound to support the Government from whom they had received their appointment. Moreover the non-official members are not answerable to any constituency, and the insignificant minority in which they stand, offers no encouragement to persist in expressions of opinion distasteful to the Government, and destined, by the very constitution of the Council, to be without practical effect.

When Parliament directed that non-official members should take part in the deliberations of the Legislative Councils, it could have had no other intention than that of enabling those Councils to ascertain, through such members, the feelings and opinions of the people with regard to the measures which were under consideration. This intention was necessarily frustrated when persons were appointed who, as in the case of independent princes and their ministers, did not reside among, or have community of interest with the people who were affected by the decisions of the Councils ; and the Petitioners submit that members chosen by the people would best be able



to represent popular views and feelings in the Councils in question.

Twenty years ago, when the Councils' Act was framed, it was believed by many that popular election would not answer in India. Whatever grounds may then have existed for such belief, the municipalities in the Presidency towns, the working of which has been favourably reported on by the Local Governments, and which are composed largely of members elected by the ratepayers, has shown that the system of popular election is understood in the large towns in India, and could be successfully carried out at the present day. To substitute, therefore, in the Indian Councils' Act *popular election for appointment* with regard to the non-official members of the Legislative Councils, would effectually be to carry out the intention of the Parliament by which that Act was passed; and for this purpose the Petitioners suggest, as a tentative measure, that the election of the non-official members of the Legislative Councils should be intrusted to the Municipal Boards, which are themselves constituted partly by election; and that the elective system in municipalities should be extended to all the large towns in the Empire.

As regards the consideration of financial matters by the Legislative Councils, the want of a controlling power for the protection of the Indian taxpayer has been much felt of late years. When it was proposed to abolish the East India Company, the late Mr. John Stuart Mill warned the Govern-

ment of the injury which the interests of India would suffer, unless some influence were created for their protection; and the waste and extravagance which have characterized the subsequent administration of the country, the present impoverished condition of a large section of the people, and the serious financial embarrassments of the Indian Government, clearly show that the means devised for the protection of the interests in question have proved very inadequate.

The untrustworthy and misleading character of the last two Budget Statements, and the nature of taxes recently imposed, which press with undue severity on the poor while wealthy official and professional classes are exempted from them, indicate distinctly the want of a local power of control over the finances of India; and such control, the Petitioners suggest, might safely be entrusted to the Legislative Councils, as long as the Viceroy retains, under the usual conditions and responsibility, the power to veto any law passed, or disallow any vote recorded by the Councils; and to issue Ordinances for a limited period, irrespective of the Legislative Councils, for carrying out particular measures of an urgent nature.

## II.—*Expenses of the Afghan War.*

The injustice of burdening India with the entire cost of the Afghan war having already been recognised by leading members of the present Government, it may be unnecessary to say any-

thing on the question, beyond calling the attention of Parliament to Section LV. of Act 106 of 1858, which provides that: "Except for preventing or repelling actual invasion of Her Majesty's Indian possessions, or under other sudden and urgent necessity, the revenues of India shall not, without the consent of both Houses of Parliament, be applicable to defray the expenses of any military operation carried on beyond the external frontiers of such possessions by Her Majesty's forces charged upon such revenues."

### III.—*Improved intermediate Courts of Appeal and revision of the New Criminal Procedure Code.*

The Petitioners are satisfied with the constitution of the Courts of first instance, which have of late considerably improved in character, and are presided over by officers generally possessed of good legal education and training; but the Appellate benches are recruited from the Covenanted Civil Service, the members of which, in the majority of instances, have had no legal training whatever, and are called, under certain rules of promotion, to preside in the Appellate Courts, when too young and too deficient in judicial experience

The Government of India, having been made aware of the shortcomings of these intermediate Appellate Courts, was engaged for some years in maturing a scheme for their improvement. The scheme was ultimately framed with the concurrence

of the Chief Justice and other judges of the High Court of Bengal, and of two successive Lieutenant-Governors of that province, and was, in due course, approved by the Viceroy in Council: but it has not received the sanction of the Secretary of State for India. The Petitioners pray for its adoption, or for any other measure likely to effect the judicial reform, the necessity of which has been recognised.

It is suggested that the Court fees, which are levied in the shape of a stamp duty, might with advantage be reduced, as they are at present excessively heavy, and virtually amount to a tax upon justice, seeing that, after defraying the necessary expenses of the judicial establishments, their proceeds leave a surplus, which is carried to the general revenues of the State. This suggestion is confirmed in a remarkable manner by the following passage in the Report of the *Deccan Riots Commission*:—"There is another cause which requires mention as tending to make the action of the Courts oppressive, namely, the high costs of suits . . . So long as these costs do not exceed the actual cost of litigation, the charge is fair. But the income from the 88 subordinate Courts last year was Rs.1,689,744, while the expenditure on the Courts was only Rs.690,717. These Courts thus yielded a net revenue of nearly Rs.1,000,000. . . . The object of Courts is not to yield revenue; and it is plainly proper that any surplus that may be derived from them should be devoted

to improving the administration of justice in them, and not to any other object. There appears reason to think that some of the miscellaneous Court charges are unduly burdensome." Page 53, paragraph 117.

The Petition points further to the evil effects of the changes which have in late years been introduced in the criminal law. The liberty of the subject has been considerably curtailed under the New Criminal Procedure Code, which has unduly increased the summary powers of magistrates, checked appeals by giving the Appellate authority power to enhance punishment, a thing unknown, I believe, in any other part of the British dominion; permitted the Crown to appeal against an acquittal, a power equally objectionable, and legalized the arrest of persons on mere suspicion and without affidavit. These innovations cannot fail to be productive of great injustice and suffering, in a country where the police are notoriously corrupt and the public press is very weak.

The Government were not without warning as to the mischievous tendencies of the changes which were made in the Criminal Law: the following passage occurs in a letter addressed to them by one of the judges of the High Court of Bengal. "As one of the judges whose duty it will be to administer the new law. . . . I feel bound to endeavour to dissuade the Government from passing a measure, one principal object of which appears to be to obliterate, as far as possible, the

arrangement of the law of criminal procedure which seven years ago Sir James Stephen, after the fullest consideration, adopted as the most intelligible and convenient." The evil from the new clauses, however, has been greatly aggravated by the indiscriminate and reckless manner in which the Executive in India have availed themselves of legislation so exceptional and partial in its nature. For instance, in a murder case tried last year by the Sessions Court of Backergunge, when the accused were all acquitted, the Government first appealed against that acquittal, and then *on the day of hearing*, finding the evidence deficient, it announced its wish not to proceed with the prosecution of one of the accused *because he was not the principal offender*. The appeal against the alleged principal offender was heard in the High Court of Calcutta in May last year, when the following judgment was delivered:—"This is an appeal against an order for acquittal. The Sessions judge and the assessors who had the witnesses before them and observed their demeanour have rejected the evidence adduced by the prosecution as unworthy of credit. In appeal we are asked to set aside this concurrent opinion of the judge and assessors, and accept the evidence as reliable. Under these circumstances it appears to us that the evidence must be unexceptionally good to warrant us to act upon it. We have carefully considered that evidence and the argument of the learned counsel who appeared before us in

support of appeal. . . . We dismiss the appeal because the evidence is not so clear and convincing as would justify us in appeal to come to a different conclusion from that of the judge and the assessors."

The following judgment of Mr. Justice Straight, reported in the *Indian Herald* for June, 1880, will still better illustrate the reckless manner in which appeals against acquittal are generally preferred under the new Code:—"In disposing of this case I feel bound to make one or two observations in regard to these applications by Government under Section 273. In my opinion it was intended that the powers therein given to the Executive to ask the interference of the High Courts with judgments of acquittal should be but sparingly used, and that the appeals thereby provided for should only be preferred where the lower Original Appeal Court has gone absurdly or obtusely wrong upon questions of fact, or has passed an erroneous decision in which blunders of law and fact are combined. . . . It would, to my mind, be most mischievous were this Court, except upon strong provocation, to interfere with the determinations of fact in favour of accused persons by magistrates and judges. To adopt a contrary course would introduce elements of uncertainty and a want of finality into criminal procedure altogether foreign to English notions of jurisprudence."

Then as regards the abuse of the summary powers vested in magistrates and the oppression

exercised by the police in arrests upon alleged suspicion, scarcely a mail arrives from India without bringing the report of a case illustrating some of these evils. The following passage in a judgment of the Sessions Court of Chittore, in a case of alleged extortion tried in November, 1878, will show how deficient the magistrates in India sometimes are in the most elementary notions of judicial impartiality, and similar cases of which reports are published are by no means unfrequent, although they form but a small proportion of the cases which actually occur, the larger number remaining uninvestigated by superior authority under the summary power clauses in the new code. The judge of Chittore said :—" It appears to me that Mr. Cox by his proceedings has gone perilously near the commission of an offence under Section 330. That the information of the payment was in the first instance extorted from the weavers under the influence of fear was freely admitted by Mr. Cox, and having been so extorted, I am of opinion that very little reliance can be placed on their subsequent evidence. Mr. Cox's explanation is that without those stringent measures he could not obtain the truth. He admits that he had from the first made up his mind that the truth was that the accused were guilty, and he was not satisfied with repeated denials of payment. He wanted the truth, that is, he wanted the men to say what he thought to be the truth ; and until they said so, he did not record their statements. It never



seemed to occur to Mr. Cox that information so elicited was worthless."

The tendency of magistrates to abuse their powers and to act in an arbitrary manner is greatly encouraged by the clauses in the new code which exempt their decisions from appeal in a large proportion of the cases tried by them; and this tendency has been increased by the inaction or the extraordinary leniency of the Government in those instances in which the shortcomings of magistrates were exposed in judgments of the High Courts in their appellate jurisdiction.

IV.—*Admission of Natives in the Civil Service on the terms of the Charter of 1833 and the Queen's Proclamation of 1858.*

By the Charter Act of 1833 it was provided that no native of India should, by reason of religion, birth, descent or colour, be disabled from holding any office whatever under the East India Company; and the Queen's Proclamation of 1858 declared: "It is our wish that all subjects of whatever race or creed be freely and impartially admitted to all offices or services the duties of which they may be qualified by their education, ability, and integrity duly to discharge." The Petitioners submit that the above-mentioned provision in the Act of 1833 was entirely disregarded, and that the pledge involved in the Queen's Proclamation has remained unredeemed. When the Indian Civil Service was thrown open to public competition, the natives of India were placed at a very great disadvantage by

London being made the only seat of the competition; and when the limit of age for the candidates was subsequently reduced from 21 to 19, it operated as a bar to the appearance of Indian candidates.

In 1870, another Act of Parliament was passed, authorising the appointment of natives to all or any of the offices which had previously been confined to the Covenanted Civil Service; but it was only in 1879 that the Secretary of State issued rules enabling the Government of India to appoint "native gentlemen of good family and education" to offices under this Act. The gentlemen who have been appointed under those rules, (the petitioners submit) have been gazetted, not as belonging to the Covenanted Civil Service, but as being members of the Native Civil Service, a branch which had previously not existed. Since the petition was signed, however, certain rules have been promulgated according to which a native Civil Servant is said to be a member of the Covenanted Civil Service of the Presidency to which he belongs: but, while his pay is on a smaller scale (a difference which might be justified by the reason assigned for it) the rules do not extend to him the privileges as to promotion which are enjoyed by the European members of the Service. Virtually, therefore, the Covenanted Civil Service is still closed to natives of India, in violation of Her Majesty's Proclamation and contrary to the Act of Parliament of 1870.

The Petitioners submit that if competition is

considered necessary in selecting persons for the public service in the United Kingdom, where there are so many salutary checks upon abuse of patronage, it is much more necessary in India where the influence of public opinion is comparatively weak. They also allege that the new rules, by confining the appointments to men of good family, and by not laying sufficient stress upon intellectual attainments and good moral character, are not calculated to satisfy the legitimate aspirations of the people, or contribute to the efficiency of the public service.

V.—*Repeal of the Vernacular Press and Arms Acts.*

The Prime Minister and other leading members of the Liberal party having, in recent public utterances, strongly condemned both the above-mentioned Acts, and fully stated the grounds of their condemnation, it is to be hoped that the repeal of those Acts will not be long delayed.

The maintenance of the Vernacular Press Act is exercising a dangerous influence by encouraging agitation in India, on a subject in which the people of that country have the sympathy of the civilised world, and in respect of a concession which, under all the circumstances, cannot long be withheld. As regards the Arms Act, it must be borne in mind that the measure not only deprives the people of the means of defence against the attacks of wild animals, and leaves them exposed to the depredations of the *dacoits* with which parts of the Bombay Presidency are greatly infested; but that it is necessarily interpreted by the people as

implying mistrust in their loyalty, a feeling which they resent as unwarranted, in view of the proofs of attachment which they have so frequently and so unmistakeably manifested to British rule.

#### VI.—*Permanent fixity of the Land Tax.*

Some misapprehension and consequent diversity of opinion exists regarding the policy of permanently fixing the land-tax in India. Those who are in favour of the policy maintain that the contrary system of periodically revising the tax and arbitrarily enhancing it at every opportunity, discourages the application of capital to agriculture, and tends thereby to impede the development of that important industry. The opponents of the policy, on the other hand, say that a permanent settlement involves a sacrifice of the additional revenue which, in the course of time, the land might, by enhanced assessments, be made to yield, through improved culture, extension of trade and the increase in the money value of produce, which ensues from the depreciation of the precious metals.

In Bengal the land-tax, as a rule, is permanently fixed; while in Bombay and the North-Western Provinces it is generally settled for long periods not exceeding thirty years, and, in the greater part of Madras, is annually liable to revision and enhancement. A careful comparison of the results yielded by these three systems might enable a correct judgment to be formed of their respective merits.

### *Permanent Settlements.*

Bengal, before 1793, was in a very backward state of cultivation, and the Government was unable to collect the land-tax in its entirety. Had the waste lands been cleared and brought under the plough, the greater yield of the estates might have enabled the owners to satisfy the Government demand; but, under the system of periodical assessments which then prevailed in Bengal, the profits of capital expended in such clearances would have been exposed to absorption in the revenue demand at the next settlement; and this risk effectually prevented capital from flowing into a channel where it was much needed. The state of things which existed at the time is succinctly described in the following passage of a Minute of the Governor-General, dated the 18th September, 1783:—"I may safely assert that one third of the Company's territory is now jungle, inhabited only by wild beasts. Will a ten years' lease induce any proprietor to clear that jungle and encourage ryots to come and cultivate his lands, when, at the end of that lease, he must either submit to be taxed *ad libitum* for the newly-cultivated lands; or lose all hopes of deriving any benefit from his labours for which, perhaps, by that time he will hardly be repaid?"

The Government, therefore, with the view of inducing the landowners to improve their estates,

fixed in 1793 the land-tax in perpetuity, deciding at the same time that all estates in respect of which the tax was not punctually discharged—should be sold for arrears of revenue. Much capital and labour were needed for clearances and extension of cultivation, and for the regular payment of the revenue, until the land could be rendered sufficiently productive to satisfy all the demands made upon it. Many landowners, who were unable to procure the necessary funds, lost their estates which were attached for arrears, and were bought by men possessed of sufficient capital to fulfil the onerous conditions imposed. Ultimately the policy of 1793 was so far successful, that Bengal became the best cultivated of all our Indian provinces, and that the land revenue in that presidency has for many years past been collected with a regularity unknown in the rest of India, and at a comparatively small cost.

The following extracts from the reports of the Lieutenant Governors of Bengal will testify to the present condition of that province, under the permanent settlement. Sir George Campbell, in the Administration Report for 1872-73, said:—  
 “The revenue of the permanently settled estates in Bengal has for years been realised with great punctuality. Losses sometimes occur through famine, epidemics, the devastations of cyclones and other calamities of seasons; but under the conditions of the Settlement, no such pleas can be urged as excuses for non-payment; and, as a rule,