12. Lieutenant-Governors And Governors I Have Known

Till 1854 the four Eastern Provinces of British India (namely, Bengal, Bihar, Orissa, and Assam) were administered by the Governor-General in Council through the medium of a Deputy Governor-General, who was usually a member of the Governor-General's Executive Council. But the administration of these four provinces had naturally deteriorated, as the Deputy Governor-General had to divide his time between the administration of these four provinces and his own departmental work. Accordingly, in 1854 it was decided that the administration of these four provinces should be placed directly under the control of a Lieutenant-Governor. Evidently preference was given to Lieutenant-Governor over a Governor on the ground that the existence side by side in Calcutta, the then capital of British India, both of the Governor-General and the Governor would be undesirable, if not in public interest, at any rate as affecting the prestige and dignity of "Burra Lat Saheb". It was, therefore, that no Governor was appointed for Bengal till 1912 when the seat of the Government of British India was simultaneously removed from Calcutta to Delhi.

On the establishment of the Lieutenant-Governorship of the four eastern provinces, Sir Fredric Halliday, a member of the Indian Civil Service, was appointed the first Lieutenant-Governor. He retired in 1859, but lived till 1901, when he passed away at the age of 94, after having enjoyed pension for 42 years. His three successors, all members of the Indian Civil Service, were Sir John Peter Grant, Sir Cecil Beadon, and Sir William Grey. The last retired in 1871, and was succeeded by Sir George Campbell, during whose tenure of office as Lieutenant-Governor, I was born. He was a stormy petrel, and his appointment roused public controversy, in as much as he was a member of the North-Western Provinces Civil Service, and had not been connected with the administration of the eastern provinces, except as a Judge of the Calcutta High Court for a few years. As he retired in 1874, when I was a baby, it goes without saying that I did not hear of him until I was older. But during his tenure of office as Lieutenant-Governor two important tragic incidents occurred which may be recalled even now, namely, the murder (in 1871) of the Officiating Chief Justice of the Calcutta High Court, the Hon'ble Mr. Justice Norman, as he was ascending the steps of the Town Hall on his way to his court, the new building of the High Court, which now houses the highest Judicial Tribunal of West Bengal, being still under construction; and the assassination, a few months later, in February, 1872, of the then Viceroy, the Earl of Mayo, while on a visit to the Andaman Islands. Another notable event during Sir George Campbell's administration was the formation of the Chief Commissionership of Assam, in 1874. It was not till 1912 that there was constituted the presidency of Bengal, under

a Governor, and the new province of Bihar and Orissa under a Lieutenant-Governor in Council. In 1920, Bihar and Orissa was placed under a Governor; and the first to hold that office was the late Right Hon'ble Baron Sinha of Raipur. In 1936 Orissa was separated from Bihar, and created a separate province. Sir George Campbell wrote two books on the old pre-Crown administration days in India, which are now of historic interest. But his book, called "Memoirs of My Indian Career" (published in two volumes) makes interesting reading even now, as the writer had served in important capacities in various provinces-the North-Western Provinces, Oudh, the Punjab, the Central Provinces, and lastly, in the four Eastern Provinces of British India.[67]

The first Lieutenant-Governor whose name I distinctly remember to have heard from my father, more than once, was Sir Richard Temple, afterwards the Right Hon'ble Sir Richard Temple, Bart. He succeeded Sir George Campbell in 1874, and vacated office in 1877, when he went to Bombay as the Governor of that Presidency. It was during his term of office that His Royal Highness the Prince of Wales (afterwards King Edward VII) not only paid a visit to Calcutta but also to Patna, and held a Darbar on the Patna maidan, which my father attended. In December 1921 at that identical spot was held a Darbar by his grandson, His Royal Highness the Prince of Wales (afterwards King Edward VIII), on which occasion, as the President of the Bihar and Orissa Legislative Council, it fell to my lot to preset to him an address, on behalf of the people of the province-my official costume on the occasion being the old-style court dress made of deep blue velvet, with breeches to match, with a mock-sword hanging by my side.

It was, however, the Darbar held by the then Governor-General and Viceroy of India, Lord Lytton at Delhi, in January, 1877, on the occasion of the assumption of the Imperial title of Empress by Her Majesty Queen Victoria, which was attended by my father, as he was invited to it as a *darbari* in appreciation of his work as a social reformer. Curiously, I have lived these seventy years since to see the revocation of that Imperial title by another parliamentary statute, enacted in 1947. At the Delhi Darbar my father was the recipient of a *Sanad* which carried certain concessions, in the matter of exemption from provisions of the Arms Act. The Darbar was held on the 1st January, 1877, by which time I was in my sixth year. The *Sanad* conferred on my father, which is still in my possession, was signed by Sir Richard Temple as the Lieutenant-Governor. I fully realised that my father was going to Delhi in connection with some great function there, and I insisted that I should accompany him, but though I cried myself hoarse and shed copiously bitter tears, my father did not take me with him. All that I got on his return, besides toys and sweets, was the *Sanad* mentioned above. Later, when I was in England, studying for the Bar, in the early nineties of

[67] Sir George Campbell, Memoirs of my Indian Career (Vols. I & II), London: Macmillan, 1893.

the last century, Sir Richard was a member of the House of Commons; and I was brought into contact with him at the meeting of the National Indian Association, and other institutions for the benefit of young Indians in London. Sir Richard was a fairly voluminous author, and wrote a number of books dealing with his Indian career and experiences and also biographical studies of some eminent Anglo-Indian administrators. Ge was regarded in the House of Commons as an insufferable bore; and the House always emptied as soon as he rose to speak.

Sir Richard Temple was succeeded in the Lieutenant-Governorship by Sir Ashley Eden, who was a son of the third Lord Auckland, and nephew of the Earl of Auckland, Governor-General of India. Mr. Anthony Eden, Foreign Minister of the Churchill Cabinet, belongs to the same family. During the term of his office as Lieutenant-Governor, which lasted from 1877 to 1882, I was sufficiently grown up to glean from my father, and also from a perusal of newspapers, several matters relating to public affairs. But apart from that, I had an occasion to see Sir Ashley from a distance, more than once, when he came to Dumraon to install the young heir to that estate on the *gaddi*, some incidents in connection with which I have set out at length in the earlier portion of my reminiscences. That incident showed that Sir Ashley Eden possessed not only fairness but also strength of character. His name came into great prominence not long after, during the term of his successor, Sir Rivers Thompson, who served as Lieutenant-Governor from 1882 to 1887. During this period I was one of the senior students of the Arrah Zillah School, and I remember very well the storm that had burst in connection with what was popularly known as the Ilbert Bill.

It was Sir Ashley Eden who, on receiving a note on the subject of the amendment of the Code of Criminal Procedure from Mr. B.L. Gupta (one of the earliest batch of Indians in the Indian Civil Service, and who retired as a judge of the Calcutta High Court) submitted it to the government of India with a recommendation on the lines suggested by Mr. Gupta, who and the other Indians who were his colleagues, were described in those days as "native members of the covenanted Civil Service". Accepting the view propounded by Mr. Gupta, Sir Ashley Eden, in his note to the Government of India, said: "for these reasons Sir Ashley Eden is of opinion that the time has now arrived when at least native covenanted civilians, who have attained the position of District Magistrate or Sessions Judge, should have entrusted to them full powers over all classes, whether European or native, within their jurisdiction". This was the last important communication on the subject received from Sir Ashley Eden by the Government of India, as he made over charge to his successor soon after.

Sir Ashley was a popular Lieutenant-Governor and a marble statue stands in his memory on the north side of the Dalhousie Square, in Calcutta, which was unveiled by Sir Stuart Bayley during his term of office as Lieutenant-Governor.

The Ilbert Bill, and the tremendous storm it evoked, during its passage in the Imperial Legislative Council, is a subject which is still vivid and fresh in my mind as if it happened yesterday; and I, therefore, deal with it in a separate chapter. Suffice it to record here that Sir Rivers Thompson was of the opposite view from that entertained by his predecessor, Sir Ashley Eden, and in his note on the bill, he opposed the proposed enactment very strongly. The only Indian Judge of a High Court at that time (Mr. Justice Romesh Chandra Mitter) who, in his note on the subject, had supported the principles and the provision of the Bill, as introduced in the Legislature by the then Law Member, Mr. C.P. Ilbert, from whose association as its sponsor the Bill took its name in common parlance, came in for much animadversion at the hands of the Britons then in India.

I have described in an earlier section, Sir Rivers' visit to Arrah, and my appearance before him to recite a poem specially composed in his honour by the Additional Headmaster of the Arrah Zillah School. Altogether, my recollections of Sir Rivers Thompson either as an individual, when I appeared before him, or as a Lieutenant-Governor, in connection with his attitude towards the Ilbert Bill, are far from agreeable. But I recall with pleasure that the 16th February, 1887, which was the day appointed by the Viceroy for the celebration in India of the Jubilee of Queen-Empress Victoria, in commemoration of the fiftieth year of her Majesty's reign, was duly celebrated at my native town, Arrah, as at all other important places throughout the length and the breadth of the country. On that festive occasion, which still stands out fresh in my mind, the District Officer, the most important local official, then as now, drove in procession through the streets of Arrah amidst much popular enthusiasm. The celebration was solemnised in the day, and a Darbar was held in the afternoon, which was attended not only by the officials and the leading non-officials, but also by a number of senior students, amongst whom I happened to be one. Loyal speeches were made by the District Officer, and also by some leading non-officials amidst much applause. In the evening, there was the usual display of fire-works on the Arrah maidan, and the main streets of the town were illuminated, with the spacious *Darbar* canopy was converted into a successful *nautch-party*. A large number of the poor were fed in the afternoon. Altogether, the Jubilee celebration of Queen Empress Victoria was a highly successful function. Who could then even imagine that just in no more than seventy years since, British rule in India would be extinct as the dodo? Who indeed?

Sir Rivers Thompson was succeeded by Sir Steuart Bayley in 1887, who retired early in 1890, without completing his full term of five years, to take up the Secretaryship of the Political and Secret Department in the Secretary of State's Council at the India Office, to which much importance was attached in those days. Later, he became a member of the Secretary of State's Indian Council, which existed till India became a Dominion in 1947. Sir Steuart had served

during his earlier years on the judicial side as the Civil and Sessions Judge of my native district, Shahabad, in 1867, and was thus on friendly terms with my father. He paid an official visit to Arrah in 1888, as the Lieutenant-Governor, and inspected the Zilla School of which I was the student in the Matriculation standard. The previous day my father had gone "to pay his respects" (as we say in this country) to the Lieutenant-Governor, and had sought his permission to take me with him. Accordingly, I accompanied my father, and was charmed with Sir Steuart's courtesy to father, and kindness to myself. I noticed that as the result of his having served in the Political Department and, particularly, as the Resident at the court of His Highness-he was not "exalted" till much later - the Nizam of Hyderabad, Sir Steuart spoke Hindustani remarkable well. When he came to visit the school the next day, he recognised me, and put to me some questions. He reached London soon after my arrival there in February, 1890, and was entertained at a banquet by the ex-Viceroy, Lord Northbrook, at the Northbrook India Club, as its President, at which some interesting speeches were made. Sir Steuart Bailey lived to the very advanced age of 92, and died so late as 1925, after having enjoyed pension for nearly 35 years.

Sir Charles Elliott, who succeeded Sir Steuart Bailey in 1890, was still the Lieutenant-Governor of the "Lower Provinces" of Bengal, Behar and Orissa," when I returned home after my call to the English Bar, in 1893. Unlike his predecessors, (except one, Sir George Campbell) he had not served in the province, but he had made his mark in the North-Western Provinces and Oudh as an expert in survey and settlement, and in Famine Administration. After the lapse of nearly more than fifty years, I recall but two incidents during his administration which are worth recording-one spectacular, and the other administrative. The former was the visit of his Imperial Highness the Grand Duke Czaritch of Russia, who became later the Emperor Nicholas, and who was the last of the Czars of all the Russias.

In 1894, Sir Charles's "Jury Trial Notification" brought about a great political turmoil. That trouble arose in this way. Under the India Councils Act of 1892, the Governor-General in Council was empowered by proclamation to increase up to a maximum of twenty the number of Legislative Councillors, whom the Lieutenant-Governor might nominate for his assistance in making laws and regulations. Accordingly in March, 1893, the Governor-General in Council notified an increase (in the number of Legislative Councillors whom the Lieutenant-Governor might nominate) form twelve-at which figure, it had stood since 1862-to the maximum of twenty. The result was a much stronger and more representative legislative council than that which had existed till then. Meanwhile correspondence had been going on between the Government of India and the Lieutenant-Governor in connection with the extension or curtailment of the right of trial by jury.

Sir Charles Elliott who was by no means enamoured of the system then in force, had submitted proposals for modifying the classes of offences which should be made triable by jury. These recommendations having been accepted by the Government of India, a notification, published in October, 1892, embodied the alterations as approved by the Government of India in respect of the classes of cases to be tried by jury. The publication of these orders was received, however, not only by the Indian public, but also by the British non-official public in the country, and the organs in the press of Indians and Britons, with much dissatisfaction and disapproval, and evoked an agitation in which the British members of the English Bar in Calcutta High Court also took an important, active, and prominent part. The echo of the controversy resounded throughout the length and the breadth of the country, with the result that the Secretary of State and the Government of India agreed to the appointment of a representative Commission with instructions to consider the various points raised in the controversy, and to submit their report to Government on a practicable scheme which might be acceptable to all concerned.

The Commission came to the conclusion that it was desirable that the classes of offences which were triable by jury, till October 1892, should continue to be so triable, and that the revised notifications be accordingly amended. In other words, they suggested the cancellation of the revised notification which was accordingly done, and popular opinion thus triumphed against bureaucratic obtuseness. Sir Charles Elliott went on six months' leave to recoup his health after this shock-the usual official subterfuge-and Sir Antony MacDonnel, a highly qualified Bihar official, who was at that time Chief Commissioner of the Central Provinces came as the Officiating Lieutenant-Governor during the remaining term of the office of Sir Charles Elliott. No other incident occurred at that time which now needs recalling. Sir Charles retired in 1895, and was succeeded by Sir Alexander Mackenzie, who was at that time a member of the Executive Council of the Governor-General.

Sir Alexendar Mackenzie, who succeeded Sir Charles Elliott, in 1895, did not complete his full term of five years owing to ill-health. He retired in 1898. Not long after his appointment he made himself famous by delivering an address at the Calcutta Corporation on the occasion of laying the foundation stone of new works for the extension of the drainage of that city. His speech, which created considerable sensation not only in Calcutta but throughout the country, was a threat to amend substantially the Calcutta Municipal Act in force at that time. It was undoubtedly a vehement speech, violating all good and decent traditions of Government. I may reproduce but one sentence from the Lieutenant-Governor's address. Said he: "I think everybody in Calcutta outside the Corporation, and a good many people inside it, will admit that there is here far too much speaking for the sake of speech, that your executive is not now strong enough for action, and is far too readily upset and interfered with; that work is often

done twice or thrice over, and is often spoiled by the multitude of counsellors or cooks, and that far too much deference is paid at times to the wishes and objection of special interests". "Counsellors or cooks" a delightful figure of speech displaying sharp contrast. The Bill embodying the provisions for the curtailment of the powers of the Corporation roused tremendous indignation amongst the public and in the press, but it was placed on the statute book, in spite of all opposition, with the votes of the standing official majority in the Legislative Council. It continued to govern the administration of the Calcutta Corporation until it was replaced by a popular legislation on the subject during the time that Sir Surendra Nath Banerjee was the first popular Minister in the Bengal Government.

The only other matter which I would have liked to mention was Sir Alexender Mackenzie's visit to Gaya, where he was presented with an address on behalf of the District Board and the Municipality of the city, wherein a suggestion was made for the separation of Bihar and its constitution into a separate independent administrative unit. That, however, is an important subject in which I was principally concerned and which, therefore. I shall deal at some length elsewhere.

Sir Alexender Mackenzie's successor was Sir John Woodburn, who assumed charge of office in April 1898, but died in November 1902 before completing his full term of office. He had served throughout his career in the North-Western Provinces and Oudh, and spoke chaste and polished Hindustani. He was a great social figure in Calcutta. Dressed in grey frock coat, and grey top hat he made a splendid figure on the Calcutta Turf Club races. He was not quite at home, however, in the administration of the provinces of Bengal, Bihar, and Orissa, since the revenue system obtaining in them was not familiar to him. He was more at home amongst the people of Bihar, because of their linguistic and cultural affinity with the people of the North Western Provinces and Oudh, amongst whom he had served during practically the whole of his official career. Owing to his premature death Mr. (afterwards Sir) John Bourdillon was appointed as the officiating Lieutenant-Governor and he worked in that capacity for about one year, when he was succeeded by the permanent incumbent, Sir Andrew Fraser, who had served during the greater part of his official career in the Central Provinces. It was as the officiating Lieutenant-Governor that Mr. Bourdillon was present at Lord Curzon's Delhi Darbar in January, 1903. In the November of that year Sir Andrew Fraser took over the administration of the provinces after having completed his work as the President of the Police Commission. Sir Andrew Fraser's administration, which lasted till April 1906, was famous, or rather notorious, for Lord Curzon's Partition of Bengal, in which Sir Andrew Fraser acquiesced, and so the creation of the province of Eastern Bengal and Assam, was inaugurated in October 1905. Although Calcutta remained the capital of the old province, (officially and absurdly called even af-

ter the partition) "Bengal" the fact remained that of the five Commissionerships of Bengal as many as three had gone to the making up of Eastern Bengal and Assam and only the two western ones remained with Bihar and Orissa as the charge of Sir Andrew Fraser.

Thus his jurisdiction of the old province having been substantially reduced over Bengal, he was the first Lieutenant-Governor who took some interest in the affairs and fortunes of Bihar, which had now become the predominant partner in the Bengal administration. Sir Andrew immediately acquired a famous old building at Patna, and converted it into Government House. He agreed to receive soon after, at the said Government House, an address at a representative gathering of the people of Bihar, about their grievances, which was read out by the then Maharajadhiraja of Darbhanga. In fact, he was the first Lieutenant-Governor, since the creation of that office in 1854, who did something for the Biharees, and was consequently popular amongst them. To mark their sense of appreciation of his efforts to improve the condition of the Biharees, they raised a fund, which is associated with his name, from the income of which a large number of scholarships and stipends are awarded to deserving Biharee candidates for higher education in Science. Sir Andrew Fraser was succeeded in December 1908 by Sir Edward Baker, who had been till then the Finance Member of the Governor General's Executive Council.

Sir Edward Baker who had come to Belvedere with a high reputation, could not achieve much owing to continued ill-health, and he retired in September, 1911, after putting in less than three years' term of office as Lieutenant-Governor. He kept up the tradition created by his predecessor Sir Andrew Fraser, of spending a few weeks at Patna, but his interest mainly lay in Calcutta social circles, where he had numerous Indian friends. Biharees felt aggrieved that the first Indian member of Sir Edward Baker's Executive Council was not selected from amongst the people of Bihar, which province had as explained above, become the predominant partner (in area and population) than either Western Bengal or Orissa, as the result of the Curzonian Partition of Bengal, in October 1905. I can recall nothing particular at this date worth recording about Sir Edward's administration. Sir Edward was succeeded by Sir William Duke, who had long served in Bihar, and who was the last Lieutenant-Governor of what was still called with characteristic official perversity as "Bengal". In December, 1911, King-Emperor George V held at Delhi his memorable *darbar* at which, at the end of the ceremonials, he himself announced the transfer of the capital of India from Calcutta to Delhi, the revocation of the Curzonian Partition of Bengal, the restoration of Assam to its old status of a Chief Commissionership, the elevation of Eastern and Western Bengal to the status of the combined Presidency of Bengal under a Governor-in-Council, and the constitution of Bihar and Orissa into a Lieutenant-Governor-in-Council. The Darbar, being thus a highly important episode not only in the history of modern Bihar – but

also in that of India in so far as it changed the capital of the country – I have dealt with it at some length in a separate chapter. Suffice it to say here that with effect from April 1912 Bengal ceased to be under a Lieutenant-Governor, Sir William Duke being the last officer bearing that designation to hold charge of that office.

Before Sir William's successor, Lord Carmichael (till then Governor of Madras) assumed charge as the first Governor of Bengal on the 1st April 1912, there was an interesting incident in the Bengal Legislative Council in which I played a prominent part. Sir William Duke's government had introduced into the Provincial Legislative Council a very contentious agrarian measure dealing with tenancy legislation in Orissa. The proposed Bill met with severe opposition alike from the representatives of the landlords and of the tenants, but as the Orissa representatives were only two in the Council, it was a cry in the wilderness. The Lieutenant-Governor and his Executive Council (the latter consisting of two British civilians and one Indian landlord, a Raja) were determined to push the legislation through, and to place it on the statute book before the 31st March, when the new administrative system, proclaimed by the King-Emperor George V, would come into effect. I was at that time one of the two representatives in the Provincial Legislative Council, the other being the late Mr. Bhupendra Nath Basu. The two Orissa representatives (the late Mr. Madhusudan Das, representing the tenantry of Orissa, and the Raja of Kanika, the landlords) approached me to help them, if I could, in getting the Bill, when enacted, vetoed by the Governor-General (as Viceroy). That exalted office was held at that time by the late Lord Hardinge, whom I met just about that time at a reception held at the Government House. I put it to him tactfully that considering that only a month later Bihar and Orissa would have a Legislative Council of their own, in which there would be an appreciably large number of Orissa representatives than only two, it was but fair that that contentious legislation should be undertaken by the Legislative Council of the new province of Bihar and Orissa, rather than by the expiring council of the old province of "Bengal". This argument carried conviction to Lord Hardinge, and he wanted me to tell him, then and there, how he could help the people of Orissa against the official hierarchy constituting the Government of Bengal. I told him hurriedly that the legislation could not take effect unless he, as the representative of the Crown, gave his formal assent to its being brought into force. He said straightaway that he would refuse assent. I suggested that he should consult his Law Member, Sir Ali Imam, and he promised to do so.

The next day was fixed for the Viceroy's departure from Calcutta to take up his residence at Delhi, which had been declared by the King-Emperor George V to be once again the capital of India. The Government House hall was crowded with Calcutta notabilities to bid farewell to the Viceroy, who was leaving the old capital, which had been intimately associated by them for nearly a century

and a half with the foundational development, expansion and consolidation of British rule in the country. The time fixed for His Excellency's departure was 3 o'clock in the afternoon, and it was expected that he would be in the hall half an hour earlier to take leave of his numerous friends assembled there; but there was no trace of the Viceregal *entourage* till even quarter past three. Naturally, the great delay in the arrival of the Viceroy became the subject of talk in the large assemblage in the hall. At last, at about half past three, the Viceregal party emerged from the corridor, consisting of Lord Hardinge, Sir William Duke, the Lieutenant-Governor, Sir Ali Imam, the Law Member, and the Government House staff. Immediately, we fell into our respective positions, and the Viceroy began to bid good-bye. When he came up to me, he said at once "well; you will be glad to learn that, as suggested by you, i have vetoed the Orissa Bill, although Sir William Duke pressed me hard to give my consent to it. Ali Imam will tell you the whole story." I thanked him in no conventional sense. Later, in the evening Sir Ali Imam told me the whole story; how there had been a regular wordy tussle between the Viceroy and the Lieutenant-Governor; how the latter had said all that he could to induce Lord Hardinge to give his assent to the Bill, how he had appealed to him in the name of British prestige and the local government's *izzat* (honour) to accord his formal consent to the enactment of the measure, but all in vain. The same evening I was returning from Calcutta to Patna and I met at the railway station the two Orissa representatives in the Legislative Council (Mr. Madhusudan Das and the Raja of Kanika), who got the first intimation of the rejection of the Bill from me. They were overjoyed. Mr. Das, who was about sixty-five at the time, began to cut capers on the platform. They went back to their homes supremely happy. The next morning there was a tremendous uproar when the news appeared in the press. The news papers were full of it. The 'Statesman' wrote an editorial on the subject in which it paid me the compliment of being a "shrewd" politician, who was wholly responsible for having brought about the *contretemps* in which Sir William Duke and his Government had found themselves sprawling. Some months later a new Bill was introduced by the Bihar and Orissa Government in the Provincial Legislative Council, and was placed on the statute book in due course with the approval and the consent of the representatives of the people of Orissa.

Lieutenant-Governors and Governors of Bihar and Orissa

The first Lieutenant-Governor of Bihar and Orissa was Sir Charles Bayley, who was a nephew (brother's son) of Sir Steuart Bayley, Lieutenant-Governor of Bengal, Bihar, and Orissa from 1887 till 1890. Sir Charles had begun his career in the Indian Civil Service in Bihar, but had thereafter served long not only in Bengal, but in various Indian States as a member of the Political Service.

He was a Resident at the Nizam's Court at Hyderabad when he was selected to succeed Sir Bampfylde Fuller on the latter's resignation, as his successor and the second Lieutenant-Governor of the now defunct province of Eastern Bengal and Assam. He was chosen as Sir Bampfylde's successor because, like him, Sir Charles also enjoyed the reputation of being a strong ruler, such as that fractious province was believed to need at that time. He continued to govern at Dacca, the capital of the new province, till April 1912 when, as the result of the announcement made at the Delhi Darbar in the previous December by the King-Emperor George V, the Eastern Bengal and Assam Province ceased to exist, and the Bihar and Orissa province came into existence, the two Bengals (Eastern & Western) being united together to form the new Presidency of Bengal, and the capital being removed from Calcutta to Delhi. Sir Charles was at the Delhi Darbar, in December 1911, and I and my colleagues of the Imperial Legislative Council were also there on the same errand. Except the members of the Governor-General's Executive Council at the time, and Sir Archdale Earle, the Home Secretary, no other person had the least idea of what was going to be announced by the King Emperor. I had my shrewd guess about it (for reasons set forth in the chapter dealing with the constitution of Bihar as a separate province) but, of course, I also did not know the exact details of the changes which were to come about; nor did it at all strike me that Calcutta would cease to be the capital of India, and Delhi reinstated in its place. At the same time, not only Delhi but the whole of India was agog with all kinds of rumours about concessions to the people in general, and to those of Bengal in particular. It was popularly believed that the King-Emperor would be the bearer of some message of satisfaction and contentment to the Indians, in general, and the Bengalees in particular.

Khwaja Sir Salimulla of Dacca was the most outstanding supporter of the Curzonian partition resulting in the constitution of the province of Eastern Bengal and Assam, of the capital of which, namely Dacca, he was then the most prominent citizen. He was also at Delhi as one of the invitees of the Government of India. Naturally, he was much exercised about the rumours abroad at the time, in respect of the fortunes of his province, and he used to see Sri Charles Bayley almost daily to find out if there was any truth in the rumours then afloat. But Sir Charles, who himself had been kept in the dark about the coming changes and had not even the remotest inkling of them, pooh-poohed the apprehension of the Dacca Nawab, and told him that there was absolutely no foundation for his fears and anxieties. Sir Salimulla (who had served in Bihar as a Deputy Magistrate in his younger days, and was well-known to me) told me the day after the Darbar that each time he talked to Sir Charles Bayley on the subject, the latter would turn round on him snappishly, and ask him, or rather shout at him: "Do you think that if any change was going to be announced at the Darbar, I, the Lieutenant-Governor of the Province of

Eastern Bengal and Assam, and the head of its administration, would know nothing about it till now. Do you think that the Viceroy would keep back from *me* the information about any proposed change?" Such questions put to him imperiously silenced the poor Dacca Nawab. When soon after the King Emperor's announcement at the Darbar of the administrative changes, including the abolition of the Eastern Bengal and Assam Province, the Nawab of Dacca's name appeared as the recipient of one of the highest titles and distinctions-the Knight Grand Commandership of the Exalted Order of the Indian Empire-he rushed to Sir Charles Bayley to tell him that he regarded it as a "halter round his neck", which had been conferred on him to strangle his throat, disabling him as such from speaking out his mind. Although the Dacca Nawab's metaphor was mixed, the sense he intended to convey to Sir Charles Bayley was perfectly clear. When he told me the story at Delhi, I asked him what Sir Charles told him in reply. The Nawab said: "He could say nothing definite or coherent he only said to me 'well', 'well', 'well', and then stopped there." Sir Charles returned to Dacca truly a sadder but (I trust) a wiser man, and came to Patna in April 1912 to assume office as the first Lieutenant-Governor of the new province of Bihar and Orissa.

Another important incident which I may recall in connection with Sir Charles Bayley and his administration of Bihar and Orissa was that relating to the English daily called the 'Beharee'. Rai Bahadur Sheoshankar Sahay, the then manager of the large and important Banaili Estate, with that political insight which was characteristic of him, realised, soon after the constitution of Bihar and Orissa as a separate province, in 1912, that a first class daily in English was absolutely essential to the well-being of the new province, now that she had to stand by herself. He asked me to help him in organising a well-conducted English daily at Patna and, with my fullest co-operation and substantial pecuniary help which he managed to secure form the proprietors of the Banaili Raj, he turned the weekly *Beharee* into a daily, which made its first appearance on the day Sir Charles Baylely arrived at Patna, the capital of the new province, in April 1912. A capable and qualified Beharee publicist, Mr. Maheshwar Prasad, Lecturer in Economics in the Muir Central College at Allahabad, and later the first Indian Registrar of the Patna University, was induced to resign his post to assume charge of the new Daily which under his editorship, appeared on the date on which the new province was formally inaugurated by the new Lieutenant-Governor. It was not long, however, before the policy of the paper displeased Sir Charles Bayley who (by reason probably of his training as a Political Officer in the Indian States) was intolerant of even moderate criticism. But what displeased Sir Charles most was that Mr. Maheshwar Prasad took up in right earnest the cause of the North Bihar tenantry against the British indigo planters, and wrote a series of vigorous articles, based on the findings in numerous judicial pronouncements in which the courts, civil and criminal, had

strongly denounced the dealings of the planter with their tenants. Sir Charles Bayley, who disliked the tone and the outspoken policy of the *Beharee*, evidently thought that he should teach Mr. Maheshwar Prasad a lesson. He knew of course that the paper though nominally owned by a limited liability company, was practically maintained from the funds supplied by the Banaily estate. He, therefore, at once sent for the Managing Director, Rai Bahadur Sheoshanker Sahay, the Manger of the Banaily estate-and when the latter went to meet him, he found him entrenched behind a large pile of files, containing cuttings from the "Beharee".

The substance of the conversation between the Lieutenant-Governor and the Manager of the estate can well be imagined. Sir Charles insisted that the editor had been guilty of disseminating matter calculated to embitter the relation between his Majesty's British and Indian subjects and that, as such he should be removed immediately and replaced by a true-born Briton, on pain of the paper being visited with penalties under the Press Act. There was no option left to the Managing Director but to surrender at discretion, and so Mr. Maheshwar Prasad was sent away, after occupying the editorial chair for about a year and a half, as a Sub-Manager to realise rents and profits from, and grant receipts to, tenants of the Banailly Estate, and a British Journalist (who was at that time what is called 'a paste-and scissors-man' on the staff on an Anglo-Indian daily in Calcutta) was installed in the editorial chair of the "Beharee". The new British Editor had scarcely been in charge for even one week when Sir Charles graciously sent to the Managing Director of the *Beharee* an autograph letter congratulating him on his good sense in appointing a British editor, and also expressing his appreciation of the lines on which the new editor had been conducting the paper. Thus Sir Charles Bayley succeeded wonderfully in his effort at suppressing the free expression of independent public opinion in the province, and in safeguarding it from the effects and influence of the then rising tide of nationalism in the country.

The only other incident I shall recall of Sir Charles Bayley's administration was his refusal to agree to the transfer of Mr. Justice Hasan Imam from the Calcutta to the Patna High Court, on the establishment of the latter in 1916, and of his successful effort in bringing to Patna from Calcutta, Mr. Justice Sharfuddin, by inducing the Government of India to give him one year's extension of service. Mr. Justice Sharfuddin was the maternal uncle of Sir Ali Imam and his younger brother, Mr. Justice Hasan Imam. The latter had practised at the Patna Bar from 1892 in which year he was called to the bar, till 1910, when he started practice in the Calcutta High Court. He was an advanced nationalist and it fell to his lot to invite at the Calcutta Session of the Congress, held in December 1911, the next session to be held at Patna in December 1912. But soon after, early in 1912, he was elevated as a permanent judge to the Bench of the Calcutta High Court. He had served for about four years in that capacity, when the Patna

High Court was inaugurated in March, 1916. Mr. Justice Sharfuddin would have completed his sixtieth year by the end of 1915 and so it did not occur to any one that he would be coming as a Judge to the Patna High Court. But Sir Charles Bayley thought otherwise. While he was Lieutenant-Governor of Eastern Bengal and Assam, he had read in the papers of that important episode which stood out prominently in Mr. Justice Hasan Imam's judicial career. Few cases of Executive high-handedness in Bihar can be recalled to rival the prolonged and unceasing harassment to which two landlords in the district of Bhagalpur had been subjected by two successive District Officers-both British members of the Indian Civil Service. The preventive and the punitive sections of the Code of Criminal Procedure, had been brought into requisition by them against these landlords with relentless severity, and they had been forced into prolonged and ruinous litigation in the interest of their liberty and property. Mr. Justice Hasan Imam, before whom the cases happened to come up in revision, summoned the two District Officers concerned, examined them at length in his court, and ultimately quashed the entire proceedings. His judicial strictures on the two District Magistrates, (one of them, afterwards, a Governor of Assam) caused naturally considerable sensation at the time, as it was one of the very few occasions when a High Court Judge had felt himself forced to take such strong action against two senior British members of the Indian Civil Service. This notable episode in the career of Mr. Justice Hasan Imam, while it justly redounded to his credit as an upright and independent judge, who proved himself the refuge of the weak and the oppressed against executive excesses, naturally gave dire offence to the Executive authorities all over India, and particularly in the two provinces of which Calcutta and Dacca were headquarters at the time, and the Calcutta High Court was the highest joint tribunal for the purposes of judicial administration. It is this episode in Mr. Justice Hasan Imam's judicial career that led Sir Charles Bayley to take up a singularly hostile attitude against his being transferred as a Judge to the Patna High Court, when some others were so brought over. It was popularly believed that in the discussion of the question between the Provincial and the Central Governments, matters came to a crisis when Sir Charles threatened to resign, if Mr. Justice Hasan Imam was brought over from Calcutta to the Patna High Court. At last, a truce was patched up between the two Governments by their agreeing to bring over to the Patna High Court Mr. Justice Sharfuddin on one year's extension of service. Mr. Justice Hasan Imam, on resigning his office in the Calcutta High Court, joined the Patna High Court Bar the very next day, and attended as an Advocate the opening ceremony of the Patna High Court. Since then for over seventeen years, till his death, in 1933, Mr. Hasan Imam had been one of the acknowledged leaders of the Patna Bar, and an Advocate of all-India fame.