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that it was the dignity, not so much of his own person or power, as of that of the office of Governor in Council of Fort St. George, may be granted: but the removal of Major Boles was regarded even by the Government of Bengal and the Court of Directors as unjust; and no less so were the orders of the 1st of May, which pronounced sentence upon meritorious officers for an uncommitted crime, upon private intelligence and without a trial. That they were most impolitic was proved by the irritation which they excited; and which, from a smouldering fire that might have burnt itself out among its own ashes, was thus fanned into a fierce and formidable flame. In the subsequent transactions, although the army was most deeply to blame, yet the Government was not exempt from fault. The stern unfeeling tone of its general orders, and the absence of all attempts at explanation or conciliation, were preserved in stoical consistency to the last; until the Government of Bengal introduced a new style, and did not disdain to blend the language of affectionate and paternal solicitude with the assertion of authority; and until, which was still more important, it condescended to lay aside the sword of justice, and send the accused to those tribunals to which they acknowledged themselves to be amenable. That a profound sense of public duty was the chief moving principle of Sir George Barlow's conduct it is impossible to doubt, but he trusted too exclusively to one only method of discharging that duty, —the exercise of absolute power.

Although anticipating the course of events, yet, in order to dispose finally of an unpleasant subject,

it will be advisable to advert in this place to the proceedings in England, to which the transactions at Madras gave rise. The public was speedily inundated by the statements of the opposite parties;¹ but the interest excited was inconsiderable, as attention was absorbed by the great interests of European politics. Several motions for papers were made in the House of Commons, and the documents were printed; but no ulterior proceedings were based upon them. It was rather different at the India House. The Court of Directors at first upheld the measures of the Government of Madras, and still more cordially approved of those of the Governor-General; but when the alarm had subsided, and the transactions were more calmly considered, a serious difference of opinion respecting the merits of Sir G. Barlow, urged with no little warmth and acerbity, divided the Court. The first struggle took place upon the appointment of the new Commander-in-chief to a seat in Council, which involved the question of displacing one of the actual members. After several days of debate, on one of which the Court was so equally divided, that, agreeably to law, the Treasurer determined the question by lot, Mr. Petrie, who had been opposed on many important matters to Sir George Barlow, was removed. The

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¹ In addition to the publications of Mr. Marsh, a gentleman of the legal profession, who, while at Madras, had been generally the adviser and advocate of Sir George Barlow's opponents, and of Colonel Malcolm, with the observations and replies which they produced, the principal authorities on either side are the following: 1. A View of the Policy of Sir George Barlow; in a series of Letters by Indus, 1810. 2. Letter from an Officer at Madras. 3. An Accurate and Authentic Narrative of the Dissensions at Madras. 4. Narrative of the late Trials, &c. 5. Account of the Discontents of the Madras Army. The two principal Reviews, also, took different sides of the question.

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1809. supported it, took a review of the whole of the transactions, and with equal ability and earnestness commended or condemned the policy of Sir George Barlow.¹ Similar discussions attended the appeals made by the dismissed or suspended officers; and at different dates their dismissal was both confirmed and cancelled. The milder counsels at last prevailed, and all who had been suspended or dismissed were pardoned and restored to the service.² In July, 1811, a motion was made for the recall of Sir George Barlow, but it was defeated under strong protests from some of the Court.³ The same motion was renewed and carried at the end of the following year, and was equally the subject of a protest by those members of the Court who had uniformly supported his measures and vindicated his reputation.⁴

¹ The proceedings and the dissents of Messrs. Bannerman, Baring, Inglis, Huddleston, Elphinstone, and Patterson, with the reply of Messrs. Grant and Astell, are printed in the *Parl. Papers*, 1811, No. iv.

² Most of the suspended officers were restored in 1811; those cashiered or dismissed, at subsequent dates.

³ The dissents of Messrs. Parry, Smith, Astell, Bebb, and Grant were published by Sir Robert Barlow, the brother of Sir George. Murray, 1813.

⁴ Little occasion now exists, perhaps, for an appeal to authority to determine the character of the proceedings of the Madras army; but there is very high military authority on the subject, that of the Duke of Wellington, who, amid the anxieties of his position in Spain at the end of 1809, felt a warm interest in the troops whom he had so often led to victory. The following passages occur in a letter, dated Badajoz, 3rd December, 1809, addressed to Colonel Malcolm.

"You cannot conceive how much I have felt for what has passed on the Madras Establishment. I scarcely recognise in those transactions the men for whom I entertained so much respect, and had so much regard, a few years back; and I can only lament that they, and the army, and the affairs of that Presidency in general, have been so much mismanaged. These transactions, and their causes, prove that it is not always the man who has the character of being the best natured, and one of the easiest disposition, who will agree best with those placed in authority over him, or those with whom he is to co-operate. They owe their origin to the disputes of the

persons in authority in India, that is to say, between the Governor and the Commander-in-chief. Both, but principally the latter, looked for partizans and supporters; and these have ended by throwing off all subordination, by relinquishing all habits of obedience, and almost by open resistance. Nothing can be more absurd than the pretext for this conduct.

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"Colonel Munro's opinion might be erroneous, and might have been harsh towards his brother-officers; but not only he ought not to have been brought to a court-martial for giving that opinion, but he ought to have been brought to a court-martial if he had refrained from giving it, when he was called upon by the Commander-in-chief to make him a report on a subject referred to his official consideration. The officers of the army are equally wrong in the part they have taken in the subsequent part of the question, which is one between the Governor and the Commander-in-chief, whether the former had a right to protect Colonel Munro from the acts of the latter, upon which question no man can have a doubt who has any knowledge of the constitution of Great Britain, and particularly of that of the Indian Governments. I, who have arrived pretty nearly at the top of the tree, should be the last man to give up any point of military right or etiquette. But I have no doubt whatever, not only that it was the right, but that it was the duty, of the Governor in Council to interfere to save Colonel Munro; and that if he had not done so, and the public had sustained any loss or inconvenience from his trial, or if the public attention had been drawn to the injustice of his trial, the Governor would have been severely responsible for the omission to perform his duty.

"So far for my opinion upon the main points of the question. As for the others, the conduct of officers upon the addresses, the orders issued, the resolutions entered into, the resignations of their offices, &c. &c., they are consequences of the first error; that is, of persons in authority making partizans of those placed under them, instead of making all obey the constituted authorities of the state. This conduct in the officers of the army would have been wrong, even if the cause had been just, and the Commander-in-chief had wished to screen Colonel Munro from the persecution of the Government; and it is really not worth while to take up my time in describing, or yours in perusing, a description of the folly, the inconsistency, or the breaches of discipline and subordination contained in all those documents. I have so much regard for the Madras army, to which I owe much, that I would sacrifice a great deal to have it in my power to restore them to that state of discipline, union, and respectability in which I left them in the year 1805; and I assure you that I shall rejoice most sincerely when I shall hear that their good sense and good temper have predominated over their feelings of party and their prejudices."—*Dispatches of the Duke of Wellington; Supplementary volume to the three first Parts, p. 231.*

CHAPTER VI.

Foreign Policy of Lord Minto's Administration.—Invasion of Berar by Amir Khan,—a force sent to the aid of the Raja.—Amir Khan's defeat by the Berar troops,—retires before the British.—Disputes between the Peshwa and the Southern Jagirdars.—Compulsory adjustment.—Suppression of Piracy by the States of Wari and Kolapur.—Expedition against the Pirates of the Persian Gulph.—Joasmis,—their ferocity.—Destruction of Ras-al-Khaima and other Pirate stations.—Expedition to Macao.—Operations against the French and Dutch colonies in the Indian Seas.—Successful depredations of the French cruizers.—Expedition against Rodriguez,—its occupation.—Descent upon Bourbon.—Garrison of Rodriguez reinforced.—Second descent upon Bourbon, and capture.—Naval Transactions at the Isle of France.—French frigates in the harbour of Grand Port attacked by the English squadron.—Destruction of the English vessels.—Naval actions off the Islands between the blockading ships and the French frigates.—Arrival of the Armaments from Bengal and Madras.—Landing of the forces in Grande Baye,—march to Port Louis,—capitulation with the French Governor.—Blockade of the Dutch Islands.—Expedition against the Moluccas.—Capture of Amboyna,—of Banda,—and of Ternate.—Expedition against Java,—accompanied by Lord Minto.—Difficulties of the voyage—overcome.—Former operations.—Destruction of Dutch vessels at Gresik.—

Measures of General Daendels and of his successor, General Jansens.—Arrival of the fleet in the Roads of Batavia,—landing of the troops.—Occupation of Batavia.—Advance to Weltevreden.—Strength of Fort Cornelis.—Assault.—March of Colonel Gillespie's column,—surprise of the outwork,—defences forced,—explosion of a redoubt,—the fort taken,—the pursuit and dispersion of the Enemy.—Churbon and Madura occupied.—Final defeat of General Jansens.—Surrender of Java and its dependencies.—Mr. Raffles appointed Governor.—Colonel Gillespie Commander of the Forces.—Capture of Yodhyakarta.—Expedition against Palembang.—Sultan deposed.—Views of the Court of Directors.—Beneficial results of the British Administration in Java.

No events of any great political importance took place on the continent of India, the occurrence of which was likely to aggravate the anxiety experienced by the British Government from the dissensions that prevailed at Madras; but, during the same period, various occasions of minor moment had arisen for the exercise of its interference and the manifestation of its power. Of this character were the proceedings consequent upon the conduct of Amir Khan, of whom mention has been made in our preceding pages, and who provoked at this time the hostility of the Government of Bengal. Left without controul by the insanity of Holkar, and keeping together a numerous body of troops, for the payment of which he possessed no means of his own, Amir Khan, after exhausting the resources of the Rajput princes, was compelled to look abroad for

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BOOK I. plunder, and enlarge the field of his depredations.
 CHAP. VI. The Raja of Berar was selected as the victim of his
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In the commencement of his political career Jeswant Rao Holkar had been detained for some time as a prisoner at Nagpore, and, according to his own assertions, was pillaged by the Raja of jewels of very great value. Amir Khan now demanded, in the name of Holkar, the restitution of the jewels¹ or their price; and, as the demand was not complied with, he moved, in January 1809, to the frontiers of Berar with all his force, swelled to a large amount by the accession of the predatory or Pindari bands,² who had long spread terror through the dominions of the Bhonsla Raja by their daring and devastating incursions. No serious opposition was offered to Amir Khan's advance: he crossed the Nerbudda and proceeded to Jubbulpore, a considerable city of Berar, of which and of the surrounding country he took possession.

Although not bound by the terms of the existing treaty to give military aid to the Raja of Nagpore against his enemies, yet the aggression of Amir Khan was considered by the Bengal Government to demand its vigorous interposition. There were grounds for suspecting that his movements were not unconnected with the discontent of the Subahdar of Hyderabad; and although the assertions of his envoys at Nagpore, that their master had been induced

¹ MS. Records. Amir Khan mentions the manner in which Holkar became possessed of these jewels; but states that they were sold, and the produce was expended in raising troops, when he was seized by the Bhonsla Raja.—Life, p. 91.

² He states his force at 40,000 horse and 24,000 Pindaris.

to invade the country by the invitation of the Nizam, who had offered to defray the cost of a still more formidable armament, might not be deserving of implicit credit, yet the known sympathies of the parties rendered such a league between them far from improbable. The interests of the British power were therefore implicated with those of the Raja of Berar. "The question was not," as Lord Minto observed, "whether it was just and expedient to aid the Raja in the defence and recovery of his dominions, although in point of policy the essential change in the political state of India which would be occasioned by the extinction of one of the substantive powers of the Dekhin might warrant and require our interference; but whether an enterprising and ambitious Musselman chief, at the head of a numerous army irresistible by any power except that of the Company, should be permitted to establish his authority on the ruins of the Raja's dominions, over territories contiguous to those of the Nizam, with whom community of religion, combined with local power and resources, might lead to the formation of projects probably not uncongenial to the mind of the Nizam himself, and certainly consistent with the views and hopes of a powerful party in his court, for the subversion of the British alliance. Of such a question there could be but one solution;"¹ this was, the determination to defend the Raja of Nagpore: and Colonel Close was ordered to march with a competent division to expel Amir Khan from the Berar terri-

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¹ Minute of Governor-General, Oct. 1809; Malcolm's Political History, i. 402.

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tory. As the objects of the expedition were in an essential degree British, the assistance was wholly gratuitous, no compensation being demanded from the Raja. Amir Khan protested vehemently against the interposition; and appealed with unanswerable justice, although with no avail, to the stipulations of the existing treaty with Holkar, on whose behalf he pretended to act, which engaged that the British Government would not in any manner whatever interfere in his affairs: and, in a letter addressed by him to Colonel Close, he argued that the conduct of the Government was a manifest infraction of the treaty, and a breach of the solemn promises made to Jeswant Rao, that it would not meddle with his claims upon the Raja of Berar, nor oppose his exaction of contributions from any princes not in alliance with it. These representations were no longer likely to be of any weight. It was not at present a matter of deliberation whether a helpless Raja of Jaypur should be abandoned to the grasp of the spoiler, rather than a passing inconvenience should be encountered; but whether the desertion of a friendly power might not involve an injury to British interests, and a still greater injury to British reputation.

An army was accordingly assembled towards the end of 1809 on the eastern frontier of Berar, composed chiefly of the subsidiary troops from Jalna and Hyderabad; and another, of sufficient strength not only to protect the province from danger, but to undertake offensive operations if necessary, was collected in Bundelkhand. Before either force, however, could be fully formed and brought into

action, the invader had been checked by the unaided troops of Nagpore. Whilst yet halting at Jubbulpore, Amir Khan was threatened by the approach of a considerable force, under Sadik Ali Khan, to Srinagar, within twenty miles of his encampment. Placing more confidence in intrigue than in arms, the Nagpore general entered into a negotiation with Amir Khan, and engaged to pay him thirteen lakhs of rupees as the price of his retreat. The Raja, emboldened by the promised support of the British Government, refused to ratify the disgraceful bargain, and commanded Sadik Ali forcibly to compel Amir Khan's departure. And at the same time a letter was delivered to that chief from the Governor-General, announcing his purpose of dispatching an army against him unless he immediately quitted Berar. Although not disposed to relinquish his prey without a struggle, yet Amir Khan found himself unable to contend with the Berar force brought against him. The Pindaris, who had been dismissed for the rainy season, had not rejoined; and part of his troops had been sent to the rear, under the impression that a pacific arrangement was about to be made. Hostages had been given him as a security for the payment of the stipulated contribution; and it was so confidently believed by several of his principal captains that part of the money also had been paid, that they insisted upon their shares, and refused to fight unless they obtained a portion of the spoil. Weakened by their defection and the reduction of his force, Amir Khan attempted to retreat to Bhopal. He was pursued by Sadik Ali, and overtaken, on the 17th

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BOOK I. of November, in a disadvantageous position at
 CHAP. VI. Jabra Ghat, when an engagement of several hours'
 1809. duration took place; in which, after the loss of several of his best officers, and exposure to imminent personal peril, Amir Khan was completely defeated. He effected, however, his escape to Bhopal.

Being joined by Vizir Mohammed, and reinforced by the Pindaris, Amir Khan was soon in a condition to resume the offensive: he accordingly marched against Sadik Ali, who had fallen back to the strong post of Chouragerh, one stage to the south-west of Jubbulpore. The Berar troops were drawn up, with the fort of Chouragerh in their rear and a rivulet in their front, the approach to which was rendered difficult by deep ravines and much thorny jungle. Disregarding the advice of Vizir Mohammed to turn the position, Amir Khan attacked the enemy in front. Their line was defended by a numerous artillery, the fire of which told heavily upon the assailants as they slowly toiled to make good their way over the rough and broken ground. After suffering severely from this cause, Amir Khan was compelled to desist from the attack, and to retire once more into the friendly territory of Bhopal. Sadik Ali refrained from following up his advantage, being probably little desirous of its prosecution.¹ This was of no consequence, as the contest was virtually at an end. Foes more for-

¹ Memoirs of Amir Khan, p. 368. According to his own showing, he returned to Chouragerh after his second defeat; and so closely blockaded the Hyderabad force in its entrenchments there, "that the enemy could not breathe or scratch his head:" at the same time the Pindaris scoured the country in all directions. The descriptions of the different actions are animated, and, with some allowance for Amir Khan's personal exploits and perils, are in the main apparently accurate.

midable were now approaching the scene of action; Colonel Close had arrived at Amrawati on the 1st of December, and Colonel Martindell had moved to the confines of Bundelkhand: the former crossed the Nerbudda early in January. Well aware of his inability to cope with such enemies, Amir Khan divided his army, and, sending off his main body by a different route, marched from Bhopal to Bhilsa and Seronj. He was followed to the latter town by Colonel Close, but to no purpose. Pretending that his presence was urgently required by Tulasi Bai, Amir Khan abandoned his troops and set off hastily for Indore. All danger of a further invasion of Berar had therefore evidently ceased; and although for a season it was in contemplation to continue military operations until the complete destruction of Amir Khan's power should have been effected, yet the probability that the prosecution of this policy might lead to a protracted and expensive series of hostilities induced the Governor-General to depart from his original design, and content himself with the accomplishment of the main object of the armament. The troops were therefore recalled to their several stations in the Company's territories or those of their allies;¹ the campaign having served to display the power and the spirit of the Government, and the necessity of its interference for the preservation of a state, once held to be of primary consideration in

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¹ Colonel Close was invested with a discretionary power of acting upon his first instructions, but he was not disposed to take upon himself a responsibility from which the Governor-General shrank. The Court of Directors were "not satisfied with the expediency of abstaining from disabling any power, against whom we may have been compelled to take up arms, from renewing its aggressions."—Letter from Secret Committee; Malcolm, Pol. Hist. i. 405.

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the political scale of Indian potentates, against the attacks of a mere soldier of fortune and his predatory cohorts.

The state of affairs at Poona demanded also about the same period the demonstration of the military power of the British Government. A spirit of reciprocal aversion had long subsisted between the Peshwa Baji Rao and the members of the Putwurdun family, who held extensive Jagirs in the southern portion of the Mahratta country on the frontiers of Mysore. These Jagirdars were the sons or relatives of Parushram Bhao, the distinguished officer who commanded the Mahratta army in the first war with Tippoo; and who, as the friend and colleague of Nana Furnavese, had borne a leading part in the expulsion of Baji Rao's father, Raghunath Rao, from the Peshwaship, and had been an active agent in a plot for the exclusion of Baji Rao himself from the succession.¹ A reconciliation had been effected, but little cordiality had been restored; and, after the death of Parushram, his descendants, engaged in constant and destructive hostilities with their neighbours, ascribed their sufferings to the continued animosity and intrigues of the Peshwa.² On the advance of the British army to reinstate Baji Rao, the

¹ In 1796; Grant Duff's *Mahratta History*, iii. 134.

² "Since 1800, when I was in this country before, it has been one continued contest for power and plunder between the different chiefs who have armies under their command: between the Putwurdun family and Gokla in the countries bordering on the Toombuddra, the Werda, and Malpoorba; between the Putwurduns and the Raja of Kolapore in those bordering on the Gutpurba and the Kishna."—Wellington Dispatches, i. 124. At this time, the beginning of 1803, the heads of the family were three brothers, sons of Parushram, Appa Saheb, Baba Saheb, and Dada Saheb, and their cousin, Chintaman Rao; each of whom commanded a force of about seven thousand horse and foot, with some guns.—*Ibid.* i. 93.

elder brother Apa Saheb was induced, by his regard for General Wellesley, to accompany him to Poona, and to contribute to the Peshwa's re-establishment.¹ A seeming renewal of friendly intercourse was in consequence effected under Sir Arthur Wellesley's mediation, but the reconciliation was as insincere as before. It was not in the nature of Baji Rao to forgive an injury, and the Putwurduns were too well acquainted with his character to place any faith in his professions. They accordingly remained neutral in the following war, declining to send their contingents upon the Peshwa's requisition; but their neutrality was considered by General Wellesley to have been an important object for the Company's possessions, and to have been capable of extenuation by natural and excusable sentiments of nationality. This omission was made one ground of an application from the Peshwa after the war for the assistance of the British troops to dispossess the Putwurduns, and transfer their lands to one of his own officers, Bapooji Gokla; but Sir Arthur Wellesley firmly opposed the application, not only on account of the claims of the family to the regard of the British Government for the many proofs of attachment which they had exhibited, but on account of its manifest impolicy and injustice.² In conformity to his suggestions, the principles to be followed in adjusting the differences between the Putwurduns and the Peshwa were, to interfere in a certain degree, to

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¹ Wellington Dispatches, i. 145, 173, 174.

² See the conference with Bapooji Gokla; Wellington Dispatches, ii. 121: and afterwards with the Peshwa's ministers, on the 1st March, 1804; ii. 140.

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- ascertain the extent of the service to which the Peshwa was entitled from the southern Jagirdars, to oblige them to afford it; and, on the other hand, to protect them from the oppression of the Peshwa's government, and to guarantee to them their possessions as long as they should continue to serve the Peshwa with fidelity.¹ Both parties were interested in preventing the practical adoption of these principles, and the final adjustment of the differences between them was long delayed.
1811. The interposition of the British Government had at once been effectual in arresting the attempts of the Peshwa to crush the Jagirdars: the subsidiary force afforded his only hope of accomplishing his purpose; and, its employment as the mere instrument of his revenge being prohibited, his power was paralyzed. It was not so easy to bring the Jagirdars to reason; especially as they were required to surrender certain lands which were not comprised in their original grants, and to which they were not legally entitled. Their obstinacy was only overcome by the movement of the subsidiary force to the Krishna; when, finding that the British Government was determined to uphold the rightful claims of the Peshwa, the chiefs consented to meet the Resident and Baji Rao at Punderpur, and attended them to Poona, where everything was definitively settled. The result was less satisfactory to Baji Rao than to the Putwurduns, as he had long hesitated to accede to any proposition which did not comprehend the entire resumption of their Jagirs,
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¹ Wellington Despatches, ii. 149.

and the annihilation of a powerful and obnoxious family.¹

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The presence of the troops in the field afforded a favourable occasion for the suppression of the piratical practices of the two petty Mahratta states, Wari and Kolapur, both possessing ports on the coast of the Concan, from which their vessels were accustomed to commit depredations on native commerce. Their lawless proceedings had been imperfectly repressed by the occasional presence of one of the Company's ships of war; but it was now resolved to put an end to the system, by depriving their rulers of the harbours which gave shelter to the pirates. The approach of the British troops soon awed them, however turbulently disposed, to submission; and the Desai of Wari was compelled to cede the fort of Vingorla, with its port and limits; while the harbour of Malwan, which included the forts and island of Severndroog and its dependencies, was given up by the Raja of Kolapur. Both states were bound to renounce piracy, and to permit no armed vessels to issue from their ports.²

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It had been found necessary at a previous period to undertake operations for the suppression of piracy of a more formidable description, and in the year 1809 an armament was dispatched from the western side of India to the Persian Gulph. Oman, the south-eastern province of Arabia, forms a triangle, the base of which borders upon the deserts; whilst one arm extends along the Indian ocean to Cape

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¹ Malcolm's Political History of India, i. 396.

² Grant Duff's Mahratta History, iii. 350: also Treaties with the Rajas of Kolapore and Sawant Warce; Collection of Treaties, 27th May, 1818.

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CHAP. VI. which lies within the gulph. The former or eastern
1809. coast is subject to the Imam of Muscat, and is occupied by a well-disposed and commercial people. The inhabitants of the latter or western shore, thinly scattered from Cape Musendom through a distance of nearly four hundred miles, had, from a remote period, been so notorious for piratical habits as to have secured for their territory the denomination of the Pirate coast. Among these tribes the Joasmis were distinguished by their audacity and cruelty. They had recently embraced the reformation which Abd-ul-wahab had some years before introduced into Mohammedanism, and united to the fierceness of their lawless trade the ferocity of fanaticism. Profession of the faith of Islam, or instant death, was the fate of their captives. Their vessels, known as daos or bugalas, varying from one hundred and fifty to three hundred and fifty tons' burthen, and carrying from one hundred and fifty to two hundred men, were clumsily built, with a single mast, and mounted but a few guns. Singly, they were little formidable; but they usually sailed together in small fleets, from which a merchant-vessel was rarely able to extricate herself. For a considerable period they refrained from molesting English ships. The Company's armed vessels were instructed to exercise similar forbearance, and to confine themselves to repelling aggression. Emboldened by this policy, and impelled by their religious ardour, the Joasmis departed from the caution they had hitherto preserved, and no longer paid any respect to the British flag. In 1808 the Sylph, a small ship of only one hundred

tons, having on board the native Persian secretary of Sir Harford Jones, was attacked and captured in sight of the Nereide frigate ; by which she was retaken, and the pirate vessels were sunk. In the next year the Minerva, a large merchant-ship, fell in with a fleet of daos, and, after a running fight of two days, was carried by boarding. The resistance and loss they had suffered had so exasperated the pirates, that every male Christian on board was murdered. It was no longer possible to permit the perpetration of such outrages, and it was determined to seek the Joasmis in their chief port, Ras-al-Khaima, inflict upon them a deserved punishment for their past crimes, and impair, if not annihilate, the means of future mischief.¹

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The expedition consisted of two of his Majesty's frigates, the Chiffonne and Clorinde, and six of the Company's armed vessels, in which nine hundred European soldiers and five hundred Sipahis were embarked. The flotilla was commanded by Captain Wainwright of the Chiffonne ; the land division by Lieutenant-Colonel Smith, of his Majesty's 65th. The armament left Bombay on the 4th September. Off Cape Musendom it fell in with a fleet of twenty-seven daos : one was sunk, the others were dispersed. The force then proceeded to Muscat, the Imam of which, equally hostile to the Joasmis as pirates and

¹ Account of the Wahabis, by Sir Harford Jones, p. 211 ; Travels in Arabia, by Lieutenant Wellsted of the Indian navy, i. 243. Both mention that the prisoners, not Mohammedans, were brought singly to the gangway, where one of the pirates cut their throats, with the exclamation, Allah Akbar ! God is great ! According to Lieutenant Wellsted, the name, properly Johasmis, was derived from Johasm, a Mohammedan saint, who had pitched his tent on the promontory where their chief port was built, hence called Ras-al-Khaima, the Cape of Tents, i. 256.

BOOK I. as Wahabis, gave prompt assistance to the objects of
CHAP. VI. the expedition. The squadron arrived off Ras-al-

1809. Khaima on the 12th of November. Notwithstanding its designation of Ras or head-land, the town was found to be situated on a low sandy peninsula, nearly a mile in length. The neck of the isthmus was defended by a wall, and the sea-face by batteries and entrenchments. It was also secure from the near approach of vessels of war by the shallowness of the water.

In consequence of this difficulty the bombardment of the town was impracticable, and it was determined to carry it by assault. By a skilful disposition the landing of the troops on the neck of the isthmus was effected at daybreak on the 13th of November; and, in spite of a vigorous resistance, the wall was escaladed. Guns were then brought up, and, under the cover of their fire, the troops penetrated into the town. All the principal houses, as usual in Asiatic cities, were flat-roofed; and from their roofs, and loop-holes in their walls, a murderous fire of matchlocks checked for a while the progress of the assailants. Their perseverance, however, triumphed: the town was abandoned by its surviving defenders, and by two o'clock Ras-al-Khaima was in the possession of the British. Although the place was filled with valuable merchandize, the spoil of piratical expeditions, no plunder was permitted: the dwellings and magazines were set on fire, and the whole was consumed, together with forty-eight large daos and a number of smaller vessels. Several towns of inferior note along the pirate coast shared the same fortune. Some escaped it by the sacrifice of their

boats, but in general the Arabs exhibited striking proofs of their national spirit. At the attack of the castle of Shinas, in particular, the most determined resistance was encountered. After a breach had been made, and the place was carried, the garrison retiring into two of the towers refused to surrender. Offers of quarter were made repeatedly to them in vain. They maintained an unceasing fire upon their enemies, and tossed back with the most deliberate resolution the hand-grenades and fire-balls showered upon them without giving them time to explode. Guns were brought to bear upon their defences, and the towers soon became a mass of ruins. At length one of the number gave himself up, and through his agency his companions were induced to believe that their lives would be spared, and to desist from a resistance which had been animated by a notion that no more mercy would be shown to them than they were accustomed to exercise towards their captives.¹ Above four hundred were killed. The others were protected with difficulty from the fury of the troops of the Imam of Muscat, of whom four thousand had joined the detachment, and who mostly belonged to a tribe which was at deadly feud with the Joas-mis. The place was delivered to the Imam. At Luft, also, on the island of Kishme, a desperate opposition was experienced, by which an officer and ten men were killed, and many of the men were wounded.

¹ "After the destruction of one of their forts, several of the Arabs were brought on board our ships as prisoners: while uncertain of their fate, and before their wounds were dressed, they were asked what fate they anticipated. 'The same immediate death as we should have inflicted on you had your fortune been ours,' was the stern and characteristic reply."—Wellsted's Travels, i. 219.

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The success of these operations struck a salutary terror into the pirate tribes of the coast of Oman, and procured for some years security for the commerce of the Persian Gulph. The habits, the native daring, and the fanaticism of these barbarians, gradually, however, resumed their influence, and impelled them to the revival of their predatory courses, which provoked a severer chastisement and more effectual suppression. This will be the subject of a future narrative. The armament employed on the present occasion returned to Bombay, and received the merited acknowledgments of the local and supreme Governments.¹

While thus busily and anxiously engaged in appeasing internal dissension, and in asserting the ascendancy of the British empire of India over the nations of Asia, the attention of Lord Minto was earnestly fixed upon objects of European as well as of Indian interest growing out of the war which raged in the Western hemisphere. Upon the occupation of Portugal by the French, and the flight of the Prince Regent to Brazil, the Bengal Government received orders from England to take military occupation of the Portuguese settlements in the East, to prevent their following the fate of the parent country. Goa had some time previously been partly under the protection of the British troops, the civil administration being left entirely to the Portuguese authorities; and it was deemed expedient to provide in a similar manner for the security of

¹ Asiatic Annual Registers, vol. xi. Chron. 161, and vol. xii. Chron. 122; Account of the Expedition against the Pirates of the Gulph of Persia in 1809; Asiatic Monthly Journal, vol. ii. 341.

Macao. A small expedition was accordingly embarked in June and July from Madras and Calcutta, the troops of which were commanded by Major Weguelin of the Bengal European regiment, and the ships by Rear-Admiral Drury.¹ The Madras division, with the Admiral, arrived off Macao on the 11th September. Their coming was unexpected, and by no means acceptable to their allies. Reluctant to part with any portion of their brief authority, and fearful of giving offence to the Chinese, the Portuguese authorities availed themselves of the absence of instructions from their own Court to resist as long as they could the disembarkation of the troops. Fortified with the sanction of the Viceroy of Goa, and determined to execute the instructions of the Government of Bengal, Admiral Drury disregarded the remonstrances and procrastination of the Governor of Macao; and, by landing the troops without his acquiescence, extorted from him a reluctant assent to the military possession of the defences of the town.

There was, however, a still more potential voice to be consulted—that of the Chinese. In some measure instigated by the intrigues of the Portuguese, but still more by becoming feelings of national dignity, the provincial Mandarins immediately objected in the strongest terms to the landing of the British troops. The Select Committee of Supra-

¹ The troops from Madras consisted of two companies of his Majesty's 30th regiment, and were embarked on the Russell and Greyhound ships of war: the former of which carried the Admiral. From Bengal, two companies of the European regiment and six hundred Sipahis were embarked in transports, and his Majesty's vessels Dover, Phaeton, Jaseur, and De-daigneux.

BOOK I. cargoes had induced the Governor-General to believe that the Chinese would be indifferent to the
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1809. temporary occupation of Macao, and would consider it immaterial whether it was guarded by the troops of Portugal or Great Britain. They had not, however, ascertained the sentiments of the Chinese, and their conjectures were erroneous. The local officers were still more vigorously upheld by their principals at Canton; and the Viceroy, declaring that the unlicensed entrance of foreign soldiers into the territories of the Celestial dynasty was a violation of the laws of the empire, commanded their immediate withdrawal. It was in vain urged that Macao had been ceded to the Portuguese, that the English came as their allies, and that their only purpose was to defend it against the attacks of their common enemy the French. The Viceroy replied, that Macao was in all respects a part of the empire, that the British should have applied for permission to the Emperor before they landed their troops, and that it was as absurd as it was disrespectful to presume that their aid was required to protect any part of the Emperor's dominions from foreign aggression. He repeated his orders for the re-embarkation of the troops; and, finding that obedience was delayed, first put a stop to the trade with the Company's ships, several of which were at the time taking in cargoes, and then prohibited their being furnished with provisions and supplies.

Thinking that the objections of the Government might be overcome by persisting in the course pursued, the supracargoes prevailed upon the Admiral, against his own judgment, to repeat his applications,

and to repair in person to Canton, and demand an interview with the Viceroy. That functionary, though he declined to receive the Admiral, sent some Mandarins of rank to confer with his officers, and wrote a reply to his letters. The tenor of his declarations was unchanged : the withdrawal of the troops was insisted on as preliminary to all other discussion. The Admiral returned indignantly to his ships, and, still acting upon the suggestions of the supracargoes, threatened to blockade the port, and commanded all the Europeans to leave Canton. These measures were unavailing. An order arrived from Pekin, whither information of the transaction had been dispatched, approving of the Viceroy's conduct, and commanding him, if necessary, to expel the intruders by force. The imperial commands were communicated to the Admiral : troops began to collect in considerable numbers along the shores of the Canton river, boats passing to the ships were fired upon, and everything indicated hostile proceedings unless the armament was withdrawn. Major Weguelin, who, with the Bengal detachment, had joined on the 20th October, concurred with the Admiral in conceiving that they were not warranted in carrying their instructions into effect, in direct contravention of the commands of the Emperor ; and the supracargoes, sensible that further obstinacy might lead to more serious consequences than they had anticipated, at last counselled acquiescence. The troops were accordingly re-embarked on the 23rd December, after three months had been expended in the vain attempt to overcome the reasonable opposition of the Chinese to the unauthorized

BOOK I. establishment of foreign troops upon their coasts.
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1809. The reason of the case was not only clearly on their side, but their conduct exhibited a remarkable combination of firmness and forbearance. However unyielding in their resolution, no violence was resorted to; and, as soon as the ships and troops had departed, the trade was resumed, and carried on as quietly as if no interruption had occurred.

The failure of the expedition to Macao was more than redeemed by the success which attended the employment of the resources of British India in the furtherance of other objects of greater national importance; and it was reserved for Lord Minto's administration to accomplish the extirpation of those remains of the colonial possessions of France in the Eastern hemisphere that had so long been suffered to inflict humiliation and injury upon the subjects of a power which had only to will their extinction, and they ceased to be. The measures which led to the conquest of the Isles of France and of Java have now to be described.

It has been already noticed, that, notwithstanding the presence of a powerful naval armament in the Indian ocean,¹ armed vessels issuing from the French islands of Mauritius and Bourbon had throughout the war preyed upon the maritime trade of India almost with impunity: occasionally, indeed, they fell victims to their audacity,² and were made to

¹ In 1807, Admiral Pellew had under his orders, in different parts of the Indian seas, six ships of the line, sixteen frigates, and six sloops.

² Among the most gallant actions was one fought in the Balasore Roads in February, 1798, between *La Forte*, a frigate of the largest class, and the *Sybillé* of forty-four guns, Captain Cooke, which ended in the capture of the former, although Captain Cooke was killed; and one between *La Piedmontaise* and *San Fiorenzo*, of about equal force, in March, 1808. In

feel the superiority of British skill and prowess ; but although they swept the seas from Madagascar to Java, and sometimes carried their depredations to the immediate vicinity of the British harbours,¹ they were for the most part singularly fortunate in avoiding the track of English frigates and men-of-war.² Their principal spoil arose from the capture of the merchant-ships employed in the trade of the Eastern seas, whose cargoes, often of considerable value, they carried for sale to the ports from which they had sallied ; but they also inflicted serious damage upon the Company's commerce, and from time to time valuable Indiamen fell into their hands.³ The equipments of these vessels, which were well armed, and on the outward-bound voyage well manned, enabled them sometimes to resist successfully the attacks of their enemies ; and, on one memorable occasion, a fleet of merchant-ships returning from China, under its senior captain, Cap-

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this also, which was a desperately contested engagement, renewed for three days successively, and terminating in the capture of *La Piedmontaise*, the commander of the English frigate, Captain Hardinge, fell.—*Asiatic Annual Register*, vol. ii. Chron. 87, and vol. x. Chron. 191. The official reports are given in both.

¹ The Kent East-Indiaman, Captain Rivington, was captured at the mouth of the Hoogly river by the *Confiance* privateer, M. Surcouf, in October, 1800, after an action of an hour and forty-seven minutes : her captain was killed. M. Surcouf for several years was distinguished for his intrepidity and successful enterprise : most of his prizes, and they were numerous, were taken in the upper part of the bay and along the Madras coast.—*Asiatic Annual Register*, vol. ii. Chron. 141.

² The merchants of Calcutta presented a petition to his Majesty's Government, imputing to the navy some degree of disinclination to exert themselves for the protection of the trade.

³ It was computed in October, 1807, that in the course of six weeks the losses by capture to the port of Calcutta alone exceeded thirty lakhs of rupees (£300,000). Between 1792 and 1810, the Company lost thirty vessels by capture : the cargoes of twenty-four of the number are stated to have been worth above £800,000.—Commons' Committee, 1830 ; First Report, App. vi.

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tain Dance,¹ beat off a French squadron of vessels of war commanded by Admiral Linois. In some actions between single vessels a similar result reflected honour upon the Company's officers: but in general the merchantmen were unequal to contend with a French cruizer of respectable force; especially on their homeward voyage, when they had been weakened by the impressment of many of their best men on board his Majesty's ships of war. Latterly cases of this nature had become more frequent. In 1809 the Company's regular Indiamen, *Europe* and *Streatham*, were taken on their homeward voyage by the French frigate *La Caroline*; and the *Charlton* and *United Kingdom*, by *La Venus*. In the following year the *Windham*, *Ceylon*, and *Astell*, outward bound, were met off the island of *Johanna* by the French frigates *Bellone* and *Minerve*, and *Victor* corvette, and after an action which lasted from 2 P.M. until dark the two former struck. The *Astell* escaped under cover of the night. It was high time to rescue the commerce of India from the risk and peril to which it was exposed, and to vindicate the pretensions of the British navy to the undisputed sovereignty of the ocean.

The most obvious means of paralysing the energies of the naval power of France, which still lingered in the East, was to take from her ships those places in

¹ The China fleet, consisting of sixteen ships, on the 14th of February, 1804, off *Palo Aor*, in the Straits of *Malacca*, fell in with the French squadron under Admiral *Linois*, consisting of the *Marengo* of seventy-four guns, two frigates of forty-four guns each, and two brigs. On the 15th, after some manœuvring and the exchange of a short fire between the French line and the headmost ships, Admiral *Linois* stood off under all sail, deterred from a closer contest by the gallant bearing of the China ships.—*Asiatic Annual Register*, vol. vi. Chron. 102; *Brenton's Naval History*, iii. 336.

the Indian ocean where they found a shelter and obtained supplies. This might have been effected at a much earlier date; but, for reasons not easily comprehensible, the Company's Governments had been interdicted from engaging in any expedition against the islands, as involving a certain expense both for their reduction and maintenance :¹ a piece of parsimonious prodigality, in which even the pecuniary saving bore no ratio to the pecuniary loss; as the value of the captured ships, and the charges of their convoy and equipments, far outbalanced in the end the cost which in the beginning would have been incurred by the conquest of the colonies. The views of the home Administration at this period underwent a change, and the Government of Bengal and the chief naval officers in the Eastern seas were authorized to adopt arrangements of a more enterprising description. It was at first proposed to attempt nothing more than a rigorous blockade of the Isle of France and Bourbon by the squadron at the Cape of Good Hope under Admiral Bertie; but, as this was impracticable as long as the blockading ships depended upon the distant settlements of the Cape or of Bombay for their supplies, it was determined to occupy the small island of Rodriguez, lying about one hundred leagues east of the Isle of France, and establish upon it magazines, with stores and provisions for the refitting and revictualling of the blockading squadron. A small force of two hundred Europeans and an equal number of natives,

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¹ "At the commencement of the present war, intimation had been given to the East India Company to guard them against expending large sums in expeditions against the French islands."—Speech of the Chancellor of the Exchequer, 10th January, 1812; Hansard's Debates.

BOOK I. commanded by Lieutenant-Colonel Keating, was
CHAP. VI. dispatched from Bombay under convoy of his Ma-

1809. jesty's ship *Belliqueux*, Commodore Byng. They arrived off the island on the 4th of August, and found upon it only three Frenchmen, engaged in growing vegetables for the use of the larger islands. Rodriguez was about fifteen miles long from east to west, and seven from north to south. Wood and water were plentiful, and various vegetables were raised. The stores were landed, and additional supplies were sent for; and Colonel Keating adopted all necessary precautions in order to strengthen himself in his position. The captures made in 1809 and 1810, however, showed that, whatever benefits might ultimately result from the occupation of Rodriguez, it was not followed by that of an effectual blockade of the French islands. French frigates had continued to sail from their ports, and returned to them with splendid and valuable trophies of victory.

Although the position thus taken up proved inadequate to the entire prevention of maritime depredation, yet it had the advantage of enabling the English men of war to remain more steadily and continuously in those seas, cramping the enemy's operations, occasioning frequent distress in the islands for want of supplies, and affording a salient point from which to harass and annoy them by occasional demonstrations or actual inroads. With this purpose, as well as to determine how far ulterior and more definite measures were practicable, the forces at Rodriguez, both military and naval, were strengthened, and in September 1809 an ex-

pedition proceeded from Rodriguez to the Isle de Bourbon.

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A body of four hundred European and native troops were embarked in his Majesty's ships *Ne-reide* and *Otter*, and the Company's cruizer *Wasp*. Off Port Louis, in the Isle of France, they were joined by his Majesty's ships the *Raisonnable*, Com-modore Rowley, and the *Sirius*, Captain Pym. The whole proceeded to Bourbon, off the eastern ex-tremity of which they arrived on the morning of the 20th of September. In the evening a detachment, raised to six hundred men by the addition of seamen and marines, was disembarked to the southward of Point de Galotte, about seven miles from St. Paul, the chief town on the western side of the island. The disembarkation was unperceived by the enemy; and the troops had marched, and were in possession of two of the principal batteries on the east of the town, commanding the shipping, before their ap-proach was apprehended. On the advance of a column to storm a third battery, they came upon the garrison, now collected, and reinforced by a hundred men of the troops of the line serving on board the frigate *La Caroline*, then lying in the bay with her prizes. The position of the enemy was strong, and was supported by eight pieces of artil-tery. Their defence was resolute, and it was not until the main body of the assailants was concen-trated that they gave way. By half-past eight, the whole of the batteries, and the town and magazines, were in the hands of the English; and, the escape of the ships being prevented by the squadron, they were obliged to surrender. The French ships taken

BOOK I. were the Caroline frigate, of forty-six guns, and
CHAP. VI. some small trading vessels; but, besides a gun-brig

1809. and some small traders, two Indiamen, the Streatham and Europe, were recovered: the troops were then re-embarked.

Upon hearing of this attack, a body of troops under the command of General Des Bruslys, the governor of Bourbon, marched from St. Denis, and made their appearance on the hills on the evening of the 23rd. Finding St. Paul in possession of the English, they retired during the night, rendering it useless to continue the preparations which had been made for the relanding of the troops. A convention was then concluded between the English commander and the commandant of St. Paul for a suspension of hostilities for three days, during which the English were to remain unmolested in the occupation of the town. The death of Des Bruslys, who destroyed himself,¹ occasioned the prolongation of the armistice; during which the public property was, agreeably to the stipulated convention, put on board the ships; and, the objects of the expedition having been accomplished, the squadron with the captured vessels returned to Rodriguez.²

The success which had attended the proceedings of so feeble an armament confirmed the determination of the Government of Bengal to attempt, without waiting for specific instructions from home, the

¹ He left a paper intimating his having committed suicide, to avoid death on the scaffold; and recommending his wife and children to Providence, and those who could feel for them. His family, at the request of his widow, was sent with a cartel to the Mauritius.

² Official report, and other details; Asiatic Annual Register, vol. xi. Chron. 155.

complete reduction of the French islands; and in the beginning of 1810 a reinforcement of sixteen hundred European and as many native troops was dispatched to Colonel Keating, to enable him to undertake the complete subjugation of the Isle de Bourbon. The expedition arrived at Rodriguez on the 20th of June, but from the unfavourable state of the weather they were unable to proceed to their destination until the 3rd of July. They were then conveyed to Bourbon under convoy of a strong squadron of his Majesty's navy, consisting of the *Sirius*, the *Iphigenia*, the *Magicienne*, and the *Ne-reide*, commanded by Commodore Rowley, in the *Boadicea*, and arrived off the point of debarkation on the 6th. Colonel Keating on this occasion had determined to proceed at once against St. Denis, the capital, in the hope of preventing protracted operations in the interior of the country, consisting chiefly of rugged, and in part inaccessible, mountains. The squadron accordingly sailed to the northern coast, where the forces, previously distributed into four brigades, were appointed to land at two different points: the first brigade, under Lieutenant-Colonel Fraser, being directed to debark at Grande Chaloupe, and proceed by the mountains against the west side of the town; whilst the other three brigades, under Colonel Keating himself, were intended to land on the east of it, at Rivière de Pluies, and to cross the rear of the town to the river St. Denis.

About two o'clock on the 7th of July, the ships having reached their stations, the landing of the principal divisions was commenced, and about three

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hundred men of the 3rd and 4th brigades, under Colonels Campbell and Macleod, with a party of seamen under Captain Willoughby of the *Nereide*, were put on shore. The weather, which had hitherto been moderate, became suddenly tempestuous: the surf rose with such violence that the boats were stove in pieces on nearing the shore, and the disembarkation of the rest of the troops became impracticable. The division on shore was necessarily left without support; but, after a communication from the commander-in-chief,¹ Colonel Macleod advanced to a battery on the Breton river at Ste. Marie, which he carried, and where he was unmolested during the night.

The attempt to land at this spot was seen from the town, but the debarkation was considered to be impossible, from the fury of the surf, and the principal attention of the enemy was directed to the division under Colonel Fraser. His brigade, which was composed of his Majesty's 86th regiment and part of the 6th regiment of Madras native infantry, with a small detail of artillery and pioneers, on board of his Majesty's ship *Sirius*, had been more fortunate. They reached their destination off Grande Chaloupe early on the forenoon of the 7th July, and immediately effected a landing without loss, although exposed to a harassing fire from the light troops of the enemy. As soon as the landing was accomplished, Colonel Fraser pushed on with his Europeans alone to the vicinity of the town, and

¹ Lieutenant Foulstone, of his Majesty's 69th, volunteered to be the bearer of Colonel Keating's orders: he was carried in a boat to the edge of the surf, and then swam through it to the shore.

occupied the heights above it to the westward, so as to cut off all communication between the capital and St. Paul. In the mean time the Magicienne and Boadicea, with the 2nd and 4th brigades, and the chief military stores and artillery, finding little chance of effecting a landing at Rivière, sailed to Grande Chaloupe in the night, and early on the 8th landed the troops on board. Before they could move forward in force, the business had been decided. The courage and activity of Colonel Fraser's division had reaped the full harvest of that good fortune which had given them the lead in the attack upon St. Denis.

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Having been joined during the night of the 7th by the rest of his force, Colonel Fraser on the morning of the 8th, leaving the Sipahis to protect his rear, descended from the hill with the Europeans, and soon fell in with the enemy, drawn up in two columns, each with a field-piece, on the plain, supported by the heavy cannon of a strong redoubt upon their flank. On reaching the plain, the regiment was ordered to charge, when they immediately rushed upon the enemy with the bayonet, and broke them. The French attempted to form behind the parapet of the redoubt, but they were pushed so closely that they were unable to make good their footing, and left the redoubt in the possession of the British, who turned some of the guns found in it against the town, and were enabled more effectually to reply to the batteries by which the latter was defended. At four o'clock in the afternoon a flag of truce was sent out from the town to negotiate for its surrender. By that time

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the bulk of the expedition, which had been sent on to Grande Chaloupe, had arrived, and advanced to St. Denis, whilst the 3rd brigade had also come up from the east to take its part in the assault.¹ Dispositions for storming were made, when it was prevented by the submission of the commandant, Colonel St. Susanne. By the terms of the capitulation which ensued, the whole of the island was ceded to the British with all public property: the troops of the line surrendered themselves prisoners of war, to be sent to the Cape or to England. Colonel St. Susanne was allowed to proceed to the Isle of France on parole; and Mr. Farquhar, of the Bengal Civil service, who had been appointed by Lord Minto in the confidence of success to the government of the island, assumed charge of its administration. Proclamations were issued by him, assuring to the inhabitants the secure possession of their property on their remaining peaceable and obedient, and promising them the provisional observance of the established forms of law and government, and the maintenance of the established religion of the colony. This important acquisition was effected with little loss; or eighteen killed and fifty-nine wounded. One officer only, Lieutenant J. S. Munro, of his Majesty's 56th, was amongst the former.²

The capture of Bourbon, so creditable to both the military and naval forces employed, for the

¹ There is a slight difference between the report of Colonel Keating and that of Colonel Fraser: the latter says that Colonel Drummond joined him at four with the 2nd brigade; the former, that he himself arrived at that time, and commanded dispositions to be made for a general attack.

² Asiatic Annual Register, vol. xii; Official details, Chron. pp. 27, 117.

judgment by which it had been planned and the spirit by which it had been accomplished, was followed by a series of singular disasters suffered by the navy, ascribable to no deficiency of courage or conduct, but to an imperfect acquaintance with the scene of action, and the want of sufficiently experienced pilotage. The achievements which were projected would no doubt have been successful, could they have been executed with the promptitude with which they were conceived.

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The operations against Bourbon had been carried on without any attempt at interruption from the Isle of France, in consequence of the absence of the principal naval strength of the French. On the 20th of August the Bellone, Minerve, and Victor returned, bringing with them the captured Indiamen, the Windham and Ceylon. Finding Port St. Louis blockaded, they made for the harbour of Grand Port, also called Port Impérial, on the south-eastern or windward side of the island. On nearing the Isle de la Passe,¹ a small islet with a fort lying off the mouth of the harbour about three miles from the land, which had been taken, and was now occupied by a small detachment from Bourbon, the French squadron was surprised by a hostile fire from the guns of the fort, and of the Nereide frigate, which had been stationed off the island. With some loss the French vessels made their way into the harbour; but their prize, the Windham, not keeping up with the rest, was recaptured by Captain Pym with the boats of the Sirius,

¹ It had been taken on the 14th of August by the boats of the Sirius and Iphigenia, and was garrisoned by one hundred and thirty men from Bourbon.

BOOK I. which was cruising in the neighbourhood in main-
CHAP. VI. tenance of the blockade. Sending off his prize to

1810. Bourbon, Captain Pym, in communication with Captain Willoughby of the *Nereide*, determined to attack the French ships in the harbour, and on the 22nd of August the two frigates stood in for that purpose. Unfortunately the *Sirius* grounded, and could not be got off until the next day, when the *Iphigenia* and *Magicienne*, under Captains Lambert and Curtis, arrived to take part in the engagement. The delay that had occurred had afforded the governor, General Decaen, time to reinforce the crews of the vessels with seamen and soldiers, and to strengthen the batteries which had been erected on this part of the coast since the capture of the *Isle de la Passe*, and which mounted sixty guns. These were fully manned, and were supported by all the troops that could be assembled, and a numerous body of militia and volunteers.

The firing commenced at a little after 5 P.M. on the 23rd. The *Nereide* anchored within half pistol-shot of the *Bellone* and *Victor*. The *Magicienne*, in following her, grounded in such an attitude that very few of her guns could bear upon the *Minerve*, to whom she was opposed; but the *Iphigenia* anchored on her larboard quarter, and relieved her of her antagonist. The *Sirius* again unluckily took the ground nearly out of gun-shot, and was disabled from rendering effectual aid. The French ships were soon driven out of their line, but into a position which enabled them to work their guns with advantage. Their loss of men was constantly repaired by troops from the shore; and the batteries

and musketry on land poured a galling fire upon the British vessels, which were incapable of management.

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The contest was nevertheless continued until after dark. At ten o'clock, the *Nereide*, which also had previously grounded, having most of her guns disabled, the greater part of her crew killed or wounded, and being exposed to the fire of the land-batteries as well as of the shipping, struck her colours;¹ but the French, not noticing or not perceiving that this was the case, continued firing upon her for some hours, until not a man on board remained unhurt. The firing continued with occasional interruption through the night. On the morning of the 24th, all hope of success being necessarily abandoned, it was determined to endeavour to retreat. The *Magicienne* being unmanageable, and on the point of sinking, was quitted by her crew, who set her on fire and retired on board the *Iphigenia*. On the 25th the *Iphigenia* warped out of the action, and attempted to extricate the *Sirius*; but, finding this impracticable, she also was set on fire in the evening, and exploded. The *Iphigenia*, the sole remaining ship, contrived by extraordinary exertion to get back to the *Isle de la Passe*, where she landed the surviving crews of the other vessels. In this situation, without provisions, and surrounded by a vastly supe-

¹ The report published by order of the Government of Bengal, Calcutta Government Gazette, 18th Oct. 1810, states that the *Nereide* drifted on shore, and was taken possession of by the enemy: the account in the text is from the *Nereide's* log.—Brenton's Naval History, iv. 468. The French account asserts that her colours were flying at daybreak, but that information of her helpless situation had been previously received from a French prisoner on board, who made his escape and swam to the *Minerve*, and that from that time she was not fired on.

BOOK I. rior force of the enemy,—the *Astrea*, *Venus*, and
 CHAP. VI. *La Manche* frigates, with the *Entreprenant* sloop,

1810. having on the 27th come round from Port Louis, whilst those recently engaged were rapidly refitting, —Captain Lambert found himself under the necessity of capitulating, and surrendered to Captain Hamelin, the commodore of the French squadron. It was stipulated that the crews should be prisoners of war, but to be sent immediately on parole or in exchange to one of his Britannic Majesty's forts. The convention was ratified by General Decaen, the governor of the Isle of France, so far, that he consented to send the prisoners, after the expiration of a month, to England or the Cape of Good Hope upon condition of their not serving again until exchanged.¹

The only British ship of war now left of the blockading squadron was the *Boadicea*; and Commodore Rowley was unable to prevent the blockade of the Isle de Bourbon, which was established by the French frigates *Astrea* and *Iphigenia*, who intercepted several of the transports arriving with troops and stores for the destined expedition against the Isle of France. On the 12th of September, however, the *Africaine* frigate, Captain Corbett, arrived from England; and Commodore Rowley, thus reinforced, immediately put to sea. The French fri-

¹ *Asiatic Annual Register*, vol. xii; *History*, p. 8, Chron. 65: *Brenton's Naval History*, iv. 466. A translation of General Decaen's official proclamation after the action is published in the *Calcutta Government Gazette Extraordinary*, 25th November, 1810. Some gasconading was excusable on such an occasion, but in the main the account is candid and temperate: the loss of the French is probably undervalued at four officers and thirty-three men killed, and one hundred and twelve wounded; the latter included M. Du Perrée, the captain of the *Bellone*. In the *Nereide* alone one hundred and sixteen were killed, and many of the wounded died on landing. Captain Willoughby was wounded, but recovered with the loss of an eye.

gates fled, and the English gave chase. The Boadicea being a heavy sailer, the French vessels soon shot far a-head, followed closely by the Africaine. Captain Corbett, apprehending the escape of the enemy, brought them to action, whilst the Boadicea was five miles astern. The wind died away. The Africaine was overpowered: the captain was killed, and the senior lieutenant was obliged to strike his colours. The balance of strength again turned in favour of the French; but the Boadicea, being joined by the Otter sloop and Staunch gun-brig, continued the chase. The enemy's frigates were little inclined to renew the contest; and, having taken out such of her crew as were unhurt, they abandoned the Africaine in a crippled condition. Rowley returned with her to St. Paul on the 18th of September.

Commodore Rowley had not been many hours at anchor when three sail appeared in the offing, two of which had suffered in their masts and rigging. He immediately made sail in pursuit of them, attended by the Otter and Staunch. The vessel that appeared not to be disabled had another ship in tow, which she cast off, to save herself by flight. The third, having no top-masts, bore up to assist her consort, but was soon obliged to strike to the superior force of the Boadicea; whilst the crippled vessel yielded at once to the Otter. The former proved to be the French frigate Venus; the latter, the Ceylon, an armed Indiaman from Madras, which had been captured that morning, after a smart engagement, by the Venus and the Victor corvette, the vessel that had escaped. The resolute resistance made by

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the Ceylon, and the damage she had inflicted upon the Venus, were the main causes of her own recovery, and of the capture of the Venus. On board the Ceylon was Major-General Abercrombie, who commanded the expedition now on its way from India.

The struggle thus far honourably maintained by the French was now soon to terminate, and an effort proportioned to the object was about to put an end to their maritime depredations in the seas of India. Shortly after the action last noticed, or early in October, Vice-Admiral Bertie in the Nisus frigate arrived from the Cape of Good Hope in the bay of St. Paul. Great exertions had been made to refit and equip the vessels which had been captured; and eleven days after the Vice-Admiral's arrival he was able to put to sea with the Boadicea, Nisus, Africaine, Venus, now named the Nereide, and the Ceylon, well manned and supplied. With this squadron he proceeded to Port Louis, off which he arrived on the 19th October. Finding that of the enemy's vessels lying in the harbour not more than two were ready for sea, he left the Boadicea, Nisus, and Nereide to maintain the blockade, and resumed his voyage to Rodriguez, to join the expedition which had been directed to rendezvous at that island. On his way he fell in with the squadron from India under Rear-Admiral Drury, proceeding to the same destination, and in company with them arrived at Rodriguez on the 3rd of November. The division from Bombay was already present, and that from Madras made its appearance three days afterwards. It was not until the 21st October that the

armament from Bengal arrived. As the season was far advanced, and the period was approaching when the winds in these latitudes become variable and violent hurricanes occur, the commander of the expedition considered it of the utmost importance that no further time should be lost ; and accordingly preparations had been made for the embarkation of the troops that had previously arrived, and for the supply of the vessels from Bengal with such stores as they might require without their dropping anchor. As soon as this operation was effected, the whole of the fleet was under weigh, and early on the 29th November came to anchor off the point selected for debarkation in Grande Baye, near the north-east extremity of the island, about fifteen miles north from the capital, where it had been previously ascertained that a fleet might be anchored in the narrow passage between a small island called from its outline Gunner's Quoin, and the main-land, and where openings in the reefs allowed many boats to enter abreast. A landing in force at this place had been deemed impracticable, as it was supposed that vessels of burthen could neither make their way through the reefs of rocks which formed the exterior barrier of the bay, nor find anchorage outside, from the great depth of water close to the rocks. It had been, however, ascertained by the officers of the navy, that a passage between the rocks could be accomplished, and that a fleet might lie at anchor in the situation to which it had been actually conducted. No opposition was experienced, and the whole of the force was landed by three o'clock in the afternoon. The troops had been distributed into

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five brigades.¹ The first, under Colonel Picton, consisted of his Majesty's 12th and 22nd regiments, and the right wing of the Madras volunteer battalion; the second, under Colonel Gibbs, of his Majesty's 59th, with three hundred of the 89th and a company of the 87th, and of the left wing of the Madras volunteers; the third brigade, under Lieutenant-Colonel Kelso, was formed of the 14th regiment and the second battalion of the Bengal volunteers; and the fourth, commanded by Colonel Macleod, of the 69th regiment, of the Madras native flank battalion, with three hundred marines; the fifth brigade was composed of his Majesty's 65th, a troop of the 26th dragoons, and the first battalion of the Bengal native volunteers. There was also a reserve division, commanded by Lieutenant-Colonel Keating, comprising the 84th regiment, the flank companies of some other corps, and the Bombay native troops. These, with the artillery and a large body of seamen, formed a force of about eleven thousand men. To oppose them General Decaen had not more than two thousand Europeans, including the crews of the ships of war, a considerable number of colonists, and a body of African slaves, without discipline, and badly armed.

As soon as the troops could be formed, the force

¹ The European force was composed of his Majesty's regiments, the 12th, 14th, 22nd, 56th, 59th, 65th, 69th, 84th, and 89th, the Bengal and Madras artillery, and a company of the 26th dragoons; six thousand three hundred strong: and two thousand seamen and marines. The native troops from Bengal and Madras consisted of four volunteer battalions and a party of Madras pioneers, three thousand men: altogether, eleven thousand three hundred. The squadron consisted of the *Illustrious* 74, and the frigates *Cornwallis*, *Africaine*, *Boadicea*, *Nisus*, *Clorinde*, *Cornelia*, *Menelaus*, *Psyche*, *Ceylon*, *Nereide*, *Phœbe*, *Doris*, and *Vesper*, besides sloops and gun-brigs.

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moved towards Port Louis. The road followed the direction of the coast for the first five miles, passing through a thick wood much entangled with brush-wood, through which the men made their way with great difficulty and fatigue. No enemy was seen until, on clearing the wood, the heads of the columns were fired upon by a small picquet, by which Lieutenant-Colonel Keating, Lieutenant Ashe, and some men of the advance, were wounded. The enemy were quickly dispersed, and greater injury was inflicted by the excessive heat of the weather and want of water. Several of the officers and men employed in the laborious duty of bringing on the artillery and stores sunk under their exertions, and fell dead on the march.¹ After clearing the wood, the army bivouacked for the night.

On the following morning the march was resumed, with the purpose of reaching the capital; but the excessive heat and scanty supply of water compelled General Abercrombie to halt, about five miles short of Port Louis upon the bed of the Pamplémousse river. On the 31st the force again advanced, and, soon after it had moved, came upon the enemy, who had taken up an advantageous position in front with several field-pieces. The European flank battalion, which formed the advance, was led against them by Colonel Campbell of the 33rd; and, by a spirited charge, put them to flight, with the loss of their guns. The success was dearly purchased; Colonel Campbell, and Major O'Keefe of the 12th regiment, being killed whilst gallantly leading their men to

¹ Among those who perished from heat and fatigue were Lieutenant Dove of his Majesty's 14th, and Captain Yates of the City of London Indianman.

BOOK I. the charge. After the repulse of the enemy, the
 CHAP. VI. army resumed its march, and drew up in front of the
 1810. lines defending Port Louis, preparatory to an assault
 on the following morning, whilst the ships of war,
 which had now come round to the harbour, should
 cannonade the town from the sea. This catastrophe
 was prevented by the offer of General Decaen to
 capitulate; and, the terms of his surrender being
 agreed upon, the Isle of France became subject to
 the British crown. The advanced period of the
 season rendering it unadvisable to protract the con-
 test, terms more favourable than were merited, al-
 though less so than those demanded,¹ were granted.
 The troops of the garrison and crews of the ships of
 war were to be conveyed in English ships to Euro-
 pean France, instead of becoming prisoners of war;
 taking with them all property declared to be private.
 The ships in the harbour, with all stores and public
 property, fell to the captors. The inhabitants were
 secured in the continuance of their religion, laws,
 and customs.² Thus instantaneously disappeared the
 fancied strength of the Isle of France when once
 the vigour of British India emancipated itself from
 the visionary obstacles which the selfish fears of the
 British Cabinet had opposed, and the imperfect in-
 formation of the Indian Government had encouraged.

¹ Decaen had the effrontery to demand that the French frigates, with all their crews and appointments, should be relinquished for the conveyance of the troops to France. "Que pour ce transport je conserverai les quatre frégates de S. M. l'Empereur, La Manche, La Bellone, L'Astrée, et La Minerve, ainsi que les corvettes La Victoire et L'Entreprenante, avec leurs officiers et équipages, armements et munitions, et approvisionnement." He must have expected the reply, "Altogether inadmissible."—Calcutta Government Gazette, February 9, 1811.

² Asiatic Annual Register, xii.; History, p. 15: Calcutta Government Gazette, February 9th, 1811: London Gazette Extraordinary, February 13, 1811.

The very effort that was ultimately made evinced the strength of the misconception that had invested the capture of the Mauritius with such unreal danger; and the conquest, although creditable to the spirit with which it was undertaken, reflected but little honour on the British arms. The Isle of Bourbon was restored to France at the peace. The Isle of France, or the Mauritius, as it was originally designated, is still subject to Great Britain.

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The settlements of Holland in the Eastern Archipelago had never, even after their enforced submission in common with the parent country to France, afforded to any great extent the means of harassing the trade of India. French privateers only occasionally haunted the roads of Batavia or cruized amongst the islands of the Archipelago. Still, however, they constituted a rallying point, which was likely to become of more consideration after the destruction of those asylums which lay more in the route of the Indian trade; and it was incompatible with the interests of India and the policy of England longer to permit the presence of an enemy in any part of the Eastern hemisphere. The first measures for this purpose that were sanctioned contemplated only a rigorous blockade of Java and the Spice islands; but it was soon found that the instructions of the home authorities, issued in ignorance both of the localities of the islands and political relations of India with the principalities on the east of the bay of Bengal, were impracticable and mischievous. The numerous and intricate channels among the islands of the Archipelago could be effectually blocked up only by the employment of the whole of

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the naval armament in the Indian seas; and the enforcement of laws so unintelligible to the plain sense of the Burmese and Malays as those of blockade, could have no other effect than that of irritating and alarming them, and interrupting their traffic with our own settlements, even if it did not lead to a piratical warfare against the country trade. It was judged, therefore, by Lord Minto and Admiral Drury to be the more safe as well as more honourable plan to adopt a decided course, and, instead of confining their attempts to an unavailing blockade of the Dutch islands, attempt their annexation to the Crown of England. No great difficulty in accomplishing this object was anticipated; as, although reinforcements had arrived at Java from Europe, and the island was commanded by an officer in the interest of France, yet the Moluccas it was known were indifferently prepared for resistance, and among the Dutch colonists at Batavia there existed a strong party who preferred open conquest by Britain to their insidious subjugation by the Emperor of France.

In conformity to these views, an expedition on a small scale was fitted out from Madras against the Molucca islands, consisting of his Majesty's ships *Dover*, *Cornwallis*, and *Samarang*, having on board part of the Madras European regiment and a small body of artillery: the troops were commanded by Captain Court, the squadron by Captain Tucker of the *Dover*. They left Madras on the 9th October, 1809, and by the middle of the following February arrived off the island of Amboyna, the most considerable of the Dutch Spice islands and seat of government. The vessels anchored off the town, situated

at the bottom of a small bay, beneath a line of low hills, and defended by batteries along the beach as well as on some of the neighbouring heights, and by Fort Victoria, mounting a number of heavy ordnance. As the elevations on the left and in the rear of the town commanded its defences, it was determined to carry them; and, whilst the squadron occupied the attention of the enemy by a vigorous cannonade, the troops, aided by seamen and marines, were landed on the right of the bay unnoticed. The party consisted of about four hundred men, and were divided into two bodies; one led by Captain Phillips, the other by Captain Court. The first stormed a battery erected upon an elevation near at hand, the hill of Wanitu, and carried it after a resolute resistance, in which the Dutch officer commanding the post was killed. Captain Court's party had to make a circuitous détour to the south of the town, and were further delayed by the rugged surface of the country. By sunset they reached their destination, a height above Fort Victoria, surmounted by a redoubt, which was abandoned as they entered it from the rear. During these operations the ships had kept up a brisk cannonade on the sea-face of the town, and had been exposed to a cross-fire from the batteries in front, or on either side of it, from which the evening land-breeze enabled them to draw off. On the following morning, the batteries in the possession of the British opened on the town and fort, and soon silenced their fire. A summons to surrender was thereupon sent to the Dutch governor, and was promptly obeyed. A capitulation was entered into, by which the garrison, composed

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BOOK I. of more than thirteen hundred Europeans and Ma-
 CHAP. VI. lays, laid down their arms to a third of their number.

1810. The Dutch troops were sent to Java, where the commandant was tried and shot by order of General Daendels. The Malays were taken into the British service, and were advantageously employed in some of the succeeding operations. Amboyna, once the scene of British disgrace and suffering, acknowledged their authority during the remainder of the war.¹

During the winter and spring months succeeding the conquest of Amboyna, Captain Tucker reduced the smaller islands in its vicinity. In the commencement of the year, the *Caroline* and *Piedmontaise* frigates, and *Baracouta* brig, under the command of Captain Cole of the *Caroline*, with additional details of the Madras European regiment, commanded by Captain Nixon, were dispatched to reinforce the troops at Amboyna, and provide for its security. Captain Cole was authorised, if he saw a reasonable prospect of success, to make a descent upon the *Bandas*, a cluster of small volcanic islands south-east of Amboyna; the principal of which were Great Banda, or Banda proper, and Banda Neira, separated by a narrow strait. The latter was selected for attack, although defended by two forts—Forts Belgica and Nassau, by batteries mounting one hundred and twenty pieces of cannon, and by a force of above seven hundred regular troops besides militia. These were stationed towards the northern extremity of the island, where a landing had been effected in 1801, when the place

¹ Asiatic Annual Register, xii. ; History, p. 21.

was taken by Admiral Rainier, and where it was expected the disembarkation would be repeated; but Captain Cole landed, with a party of two hundred seamen and soldiers, on the eastern side during the night, in a heavy squall of wind and rain, which effectually concealed his movements. A battery close to the landing-place was surprised, and its defenders made prisoners, without firing a shot; and, a guide having been procured, Captain Cole directed his march to Fort Belgica, about half a mile distant. The men advanced in profound silence, reached the foot of the ramparts unperceived, applied their scaling-ladders, and cleared the wall. The greater part of the garrison had been drawn off to strengthen the main body of the troops of the island, and but few men with the Governor had been left in the fortress. These, after a feeble resistance, endeavoured to escape by the gate, but they were met by a party of sailors; and, in the conflict which ensued, the Governor and several of his men were killed. When the day dawned, the British flag waved over Fort Belgica, which completely commanded the town and its defences. Upon the threat of Captain Cole to lay the former in ashes, the officer who was second in command agreed to surrender the island. A valuable booty rewarded the intrepidity and conduct which had so brilliantly achieved a valuable acquisition without suffering any loss.

At the same time Ternate was taken by Captain Tucker with a detachment of Europeans, the seamen and marines of the *Dover*, and some of the newly enlisted Amboyna corps. Captain Tucker arrived off the island on the 25th August; but light and baffling

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winds kept him off the shore, and a landing was not practicable before the 28th. A hundred and seventy men were landed in the night with intent to surprise the forts and batteries which guarded the bay. The difficulties of the approach frustrated the scheme, and the men were re-embarked. Early in the morning they were again put on shore; and, whilst the frigate engrossed the attention of the enemy, they proceeded unobserved to an eminence supposed to command the fort of Kayomaira, the principal Dutch post. They arrived on the hill at noon, but to their great vexation they found that the fort was screened from their view by an intervening forest. They then endeavoured to proceed by an inland route, but, after incessant exertion throughout the day, it was found impossible to disencumber the path of the immense trees which had been cut down and piled across it. Turning to the right, they followed the course of a rivulet which led to the beach, and brought them about ten o'clock within eight hundred yards of the fort before they were discovered. Disregarding a smart fire of grape and musketry, they rushed forward, escaladed the walls, and carried the fort. On the following morning the combined operations of the detachment and frigate overpowered the other defences of the bay, and by the evening the town and island were surrendered. Few casualties impaired the exultation of the victors. Their conquest completed the reduction of the Moluccas, and Java with its dependencies alone remained in the possession of the Dutch.¹

¹ Asiatic Annual Register, xii.; History, 27; Chronicle, 80; Official Dispatches.

Prior to the departure of Lord Minto for Madras the practicability of the subjugation of Java had been brought under his consideration by Mr. Raffles, originally a member of the Penang Government, but who had attracted the notice of the Governor-General by his acquaintance with the languages and political circumstances of the tribes of the Archipelago, and had been in consequence appointed the Governor-General's agent at Malacca. After Lord Minto's return to Bengal, the subject was resumed: Mr. Raffles came round to Calcutta for the sake of its more commodious investigation, and his statements so entirely satisfied the Governor-General of the feasibility of the measure, that he determined to undertake it upon his own responsibility. Its execution was, however, deferred until the result of the expedition against the French islands should be known; and in the interval the design received the prospective sanction of the authorities in England. No time was lost in preparing for the expedition. The King's regiments, which had returned to Madras¹ from the Mauritius, were immediately re-embarked, with the addition of the 78th regiment of foot and a portion of the 22nd dragoons; whilst in Bengal his Majesty's 59th, four battalions of Sipahi volunteers, the 20th, or marine regiment, details of pioneers, and artillery, horse and foot, with the Governor-General's body-guard, were assembled under the command of Colonel Wood. The command of the whole was vested in Sir Samuel Auchmuty, the Commander-in-chief at Madras. The Bengal troops sailed early in March, and reached

¹ The 14th, 69th, and 89th: the Madras pioneers were also re-embarked.

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CHAP. VI. April. Lord Minto accompanied them in the Mo-

1811. deste frigate, in the capacity, as he expressed himself, of a volunteer. The Madras force sailed in two divisions: the first, under Lieutenant-Colonel Gillespie, on the 18th of April; and the second, under Lieutenant-Colonel Gibbs, on the 29th. At the same time Sir Samuel Auchmuty embarked in the Akbar frigate, and Commodore Broughton commanding the fleet sailed in the Illustrious. It was fortunate that their departure had not been delayed, for on the 3rd of May a tremendous hurricane set in at Madras, in which a great number of vessels, including the Dover frigate, were driven ashore and lost. The fleet had reached the outer edge of the vortex, and felt but little of the violence of the storm. The whole of the expedition was collected at Malacca by the 1st of June: but this was much later than had been intended, the period having been delayed by the necessity of awaiting the return of the troops and transports from the Mauritius; and it now became a question of some anxiety whether and by what route the fleet could proceed.

The setting-in of the south-west monsoon rendered it highly inexpedient to attempt the usual navigation through the Straits of Banca. Besides the danger to which the ships might be exposed from tempestuous weather, it was certain that the passage would be tedious, and the commencement of military operations in Java could not take place earlier than the rainy season of October and November, when the climate would become unhealthy,

and the troops be disabled by sickness. The same objections applied to the track round the north-east of Borneo; and there remained only the passage along the south-west coast of that island, in which the fleet would be sheltered from the fury of the monsoon, and would be assisted on their way by the breezes from the land. This route was accordingly strongly recommended by Mr. Raffles, upon the authority of Captain Greigh, of the *Minto* brig, by whom it had been surveyed. It was as strongly objected to by the chief naval authorities, who pronounced it to be impracticable; but Lord Minto, confiding in the information of Mr. Raffles, decided the controversy in favour of the inner passage, and led the way in the *Modeste*. The difficulties were easily surmounted under Mr. Greigh's skilful pilotage. In six weeks the fleet cleared the intricate channels, through which it had passed without a single accident, crossed the sea from the point of Sambas, and anchored on the 2nd of August off the north coast of Java. Had not the presence of the Governor-General decided the question, we have his own testimony that the enterprise must have been suspended until the following year.¹

The island of Java had for some time been almost lost sight of amid the convulsive revolutions which had shaken the parent country. The last of these pretended to extinguish the national integrity of Holland, and reduce it to an integral department

¹ Parliamentary Debates, 10th January, 1812; Thanks to the army and navy, and to Lord Minto. *Life of Sir Thomas S. Raffles*, p. 90. Lord Minto remarks in a letter to the Court, "The attempt must have been abandoned for the present year if I had yielded to the predicted difficulties of the passage."

BOOK I. of France. Such a degradation could not fail to
CHAP. VI. excite deep dissatisfaction both at home and abroad;
1811. and the inhabitants of the Dutch colonies, more removed from the influence of the French Government than their countrymen in Europe, were in general more abhorrent of the alteration. Apprised of the prevalence of these feelings, and of the weakness of the administration of Java, Sir Edward Pellew had, in 1807, urgently pressed Sir George Barlow to sanction an expedition against the island; for the reduction of which he required no more than a thousand Europeans, and as many native troops, in addition to the resources of the vessels under his own command. The economical policy of the Bengal Government was, however, averse to any undertaking which involved expense; and the disinclination was fortified by the prohibitory orders of the Court of Directors against embarking in enterprises which possibly they regarded as affecting the interests of the nation more immediately than those of the Company. The Admiral was permitted, however, to amuse himself with a simple demonstration. Taking on board five hundred men and some artillery at Madras, Sir E. Pellew sailed on the 20th of October, 1807, with his squadron,¹ for Gresik, a harbour on the east coast of Java, where it was known that several Dutch vessels of war were laid up. He arrived off Point Parko on the 5th of December, and pursued his course with little opposition to Gresik, where he burnt three

¹ The squadron consisted of the *Culloden* and *Powerful* seventy-fours, *Caroline* and *Fox* frigates, and *Victoria*, *Samarang*, *Seaflower*, and *Jaseur* sloops.

line-of-battle ships and an Indiaman, and destroyed the fort and batteries. By a convention with the Council of Surabaya the fleet abstained from doing further damage, on condition of being furnished with supplies, which were accordingly provided. The facility with which this success was achieved demonstrated the feebleness of the Dutch force in Java, and the favourable disposition of the inhabitants.

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The impunity with which the demonstration had been followed, awakened the attention of the French Emperor to the condition of Java; and he immediately ordered arrangements to be instituted, in order to place it in a state of greater security. Reinforcements were sent out; and General Daendels, an officer of tried activity and resolution, was appointed governor. Unchecked by any respect for private rights, and unscrupulous in the means by which his ends were attained, General Daendels studied only how to improve the military attitude of the island, and prepare it for a contest of which he anticipated the approach. Every consideration gave way to this design, and the inhabitants were compelled to submit to enormous exactions, in order to raise funds by which the army might be reorganised and recruited, the existing fortresses repaired, new and formidable works erected in the vicinity of the capital, and ample provision made for a vigorous defence against future invasion. He was not, however, allowed to test the efficiency of his foresight: on the eve of the arrival of the expedition he had been recalled to France, and was succeeded by General Jansens, who had been go-

BOOK I. vernor of the Cape of Good Hope when it was
 CHAP. VI. taken by the English, and had recently arrived at

1811. Batavia with a reinforcement of several frigates and a body of one thousand European troops.¹ The whole of the troops on the island were estimated at seventeen thousand men, natives and Europeans, of whom thirteen thousand were concentrated in the lines of Cornelis, a position strong both by nature and art, about eight miles from Batavia.

The fleet, the command of which had been assumed by Rear-Admiral Stopford, in the *Scipio*, and which with transports and brigs mustered above ninety sail, having on board about twelve thousand troops, European and Indian, in nearly equal proportions, anchored in the bay of Batavia on the 4th of August. A landing was immediately effected at Chilingyi, a village ten miles east of Batavia. No opposition was met with, disembarkation at this point not having been anticipated. The army was moved forwards two miles, in two divisions; one on the road to Cornelis, the other fronting that to Batavia. No effort of any importance was made to disturb them; and, the horses and guns having been landed on the 5th, a general advance was ordered towards the capital. On the night of the 7th, the van, commanded by Colonel Gillespie, crossed the Anjole river by a bridge of

¹ The removal of Daendels was a source of great mortification to him, and he was urgent with his successor to abstain from the assumption of authority until after the expedition should have arrived, and been, as he confidently asserted, defeated. Although it is possible that his military talents might have enhanced the difficulty of the conquest, and delayed its accomplishment, yet the number and equipment of the invading force, and the resources at the command of the Government of India, ensured ultimate success.

boats, and by dawn huddled near the suburbs. In the course of the day a small detachment was sent into the city; by whose presence the work of plunder commenced by the Malays and Javanese was arrested, and large stores of colonial goods were saved from the flames. Many of the principal inhabitants had been compelled by General Jansens to quit Batavia; but those who remained, readily submitted. In the evening, a large part of the advance was quartered in the town. During the night an attempt at surprise was made by the enemy; but, finding the place occupied in greater force than they expected, they speedily retired.

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On the morning of the 10th of August, the advanced division marched out of Batavia towards the cantonments of Weltevreden, which they reached by daybreak. The cantonments were abandoned; but a division of the Dutch army, under General Jumel, the second in command, had taken up a strong position about a mile from Weltevreden, on the road to Cornelis. Their right was protected by a canal called the Slokan: their left was exposed; but the approach both in front and on the flank was embarrassed by pepper plantations and marshy ground, as well as defended by an abatis, with which the enemy had blocked up the road. From behind this entrenchment they opened a fire of four horse-artillery guns with grape; whilst the infantry, posted in two villages, kept up a brisk fire of musketry on the advancing columns. The guns were answered with effect by those of the British artillery, and the musketry was replied to by the skirmishers, whilst an attempt was made to

BOOK I. turn the enemy's left flank. After some delay,
 CHAP. VI. arising from the nature of the ground, the attempt

1811. succeeded. The villages were set in flames, and the British troops rushed forward to the charge. The enemy broke, and were pursued with vigour until they took shelter under the guns of Cornelis.¹ The main body of the army came up towards the close of the engagement, and took post at Weltevreden; having secured a free communication with the town and shipping, a healthy and commodious station for the troops, and the command of the resources of the country. Three hundred guns were found in the arsenal at Weltevreden, besides great quantities of ammunition and military stores.

Preparations were immediately made for an attack upon Cornelis, which General Jansens expected to be able to maintain against all assaults until the rainy season should set in, and sickness should compel the retreat of the invaders. His post was an entrenched camp between two rivers, the Slokan on the east, and the river of Batavia on the west. The latter was unfordable and the banks were steep and overrun with jungle: the former was more practicable, but it was defended by powerful batteries and redoubts; one of which was on the near side of the river, for the protection of the only bridge that had been left standing. The space between the rivers in front, above six hundred yards, was guarded by strong entrenchments and redoubts, and was difficult of access from the ruggedness of

¹ Their loss was severe; that of the British was inconsiderable: but several officers were wounded; of whom Lieutenant Duffield of the horse artillery died of his wounds. Lieutenant Munro of his Majesty's 78th was killed.

the ground. A like space in the rear of the works was still more strongly fortified. The whole circumference of the lines extended nearly five miles, and was defended by two hundred and eighty pieces of cannon.

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CHAP. VI.
1811.

Although the necessity of an ultimate assault was anticipated by the Commander-in-chief, yet he thought it expedient to try the effect of regular approaches; and a battering train having been landed, and batteries constructed, the army broke ground on the night of the 20th of August. It was not till the morning of the 24th that the batteries could be opened with effect, and during the interval a furious cannonade was kept upon the works by the enemy, by which some loss was sustained. On the 24th the guns opened upon the enemy's lines, and, notwithstanding the greater number of their ordnance, with much more decided effect. The principal redoubt was repeatedly silenced, and many of the guns in their batteries were dismounted. On the 25th the cannonade was resumed, and returned with spirit: but although the enemy suffered severely both in men and guns, yet it was evident that no practicable breach could be made until the batteries were considerably advanced; an operation involving delay, and demanding from the seamen and troops an amount of exertion to which, from the heat of the weather and the excessive labour they would have to undergo, they were unequal. In the mean time the enemy were daily adding to their defences, and using every means to render them impregnable. The period therefore had arrived at which the place must be carried by storm,

BOOK I. or a protracted and exhausting course of warfare
CHAP. VI. would become inevitable.

1811.

The comparative facility of an approach on the enemy's right by the Slokan, and the possibility of carrying by a *coup de main* both the redoubt which was on this side of the river, and the bridge by which the river was crossed, recommended the principal attack to be made in that direction. The assault was intrusted to Colonel Gillespie, having under his orders the infantry of the advance, and a part of the right brigade of the line commanded by Colonel Gibbs. At the same time two other attacks were to be made upon the enemy's lines; one, under Lieutenant-Colonel Macleod, against the principal redoubt in the angle of the enemy's front and left; and the other, under Major Yule, upon the bridge leading to the rear: whilst the main body of the army threatened the front.¹

Colonel Gillespie's column marched soon after midnight on the 26th. The troops had to make a considerable détour through a difficult country, intersected by ravines, and parcelled out in pepper plantations and betel gardens. The darkness of the night aggravated the intricacy of the path; and when, towards morning, the head of the column had ap-

¹ The troops under Colonel Gillespie were the two flank battalions, consisting of the grenadiers of the 78th regiment, and of the 5th and 6th native volunteer battalions, the light companies of the 14th, 59th, 69th, 78th, and of the light infantry battalion and 4th native volunteers, the rifle companies of the 14th, 59th, and 78th, five companies of the 89th, dismounted dragoons and body-guard, a body of marines, and Madras pioneers. Colonel Gibbs' column was formed of the grenadiers of the 14th, 59th, and 69th, first battalion of the 59th, and 4th and light infantry volunteer battalions. Colonel Macleod led the 69th regiment. Major Yule had under his orders the grenadiers of the 20th native infantry, two companies of his Majesty's 69th, the flank battalion of the reserve, with a detachment of the Madras pioneers and artillery, and a troop of the 22nd dragoons.

proached near to the works, information was brought to Colonel Gillespie that the rear division had fallen behind. A short halt was ordered; but as it was impossible to remain unobserved after daybreak, and a retreat in the presence of the enemy might hazard the success of the expedition, Colonel Gillespie determined to make the assault at once, trusting that the strayed column would be guided aright by the firing, and would be in time to support him before he was seriously engaged.

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The morning dawn showed the enemy's videttes at hand, and the column was challenged. The men, as commanded, reserving their fire, rushed forward with the bayonet; and the picquets were destroyed, and the advanced redoubt was carried almost as soon as the alarm was given. At the same moment the grenadiers of the 78th, under a heavy fire from the enemy, carried the bridge over the Slokan, a slight structure which might with ease have been demolished. As soon as the passage was effected, Colonel Gillespie, turning to the left, stormed a second redoubt, which was within the lines; and notwithstanding the superior numbers of the enemy, and a spirited resistance, which caused the loss of many brave officers and men, carried it at the point of the bayonet. Each of these redoubts mounted twenty eighteen pounders, besides several twenty-four and thirty-two pounders.

The division of Colonel Gibbs having, as was anticipated, been guided to the scene of action by the cannonade, had hastened on to take their share in the conflict; and, having crossed the Slokan, the grenadiers of the 14th, 59th, and 69th regiments

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1811.

moved against a redoubt on the right, which they stormed, and carried with the bayonet in the most gallant manner. They had scarcely gained possession when the powder magazine¹ attached to it exploded with a stunning sound, and scattered piecemeal the mutilated limbs of both defenders and assailants. This awful occurrence was followed by a momentary pause; but the batteries of the enemy soon opened again upon the attacking column. The assailants had, however, now gained a firm footing within the lines, and proceeded with renewed spirit to storm the remaining redoubts to their right and left.

In the mean time an active cannonade had been maintained on the front, where the enemy had erroneously expected the main attack would have been made, and under this persuasion had refrained from reinforcing their troops on the right. The column directed to the rear was unable to cross the river, as the bridge was burnt, and was obliged to remain contented with firing upon the enemy from the opposite bank. The detachment under Lieutenant-Colonel Macleod carried the redoubt against which they had been sent, but, unfortunately, with the loss of their commander. The success of the assault on the right, however, soon opened a free access to the entrenchment, and the British entered Cornelis in every direction.

When most of the redoubts had been stormed, and daylight rendered objects distinct, the enemy's reserve, composed of several battalions, with twenty

¹ It was said to have been purposely fired by some of the enemy's officers, who perished in the explosion. No advantage accrued to the enemy from the catastrophe.

pieces of horse artillery, besides heavy guns, and a large body of cavalry, was seen drawn up on the plain in front of the barracks and lesser fort of Cornelis, the guns of which commanded the approach. The duty of dispersing these was consigned to the 59th, and was gallantly effected by that corps, who not only drove them from their position, but captured the fort. The dragoons and horse artillery then coming up, Colonel Gillespie placed himself at their head, and pursued the fugitives for ten miles, cutting off great numbers, and completing the disorganization of their army. Those who sought refuge in the thickets were killed or dispersed by the 14th regiment and detachments of the Bengal volunteers. The efforts of their officers to keep them together as far as Beutenzorg, where entrenchments had been thrown up, and a second stand was to have been made, entirely failed, and the fate of Java was decided. Six thousand prisoners were taken, mostly European troops, including a regiment of voltigeurs recently arrived from France. The loss of the enemy in killed and wounded was likewise very considerable. The victory was not won without loss also to the assailants. In the previous operations, and in the assault of Cornelis, the killed and wounded amounted to nearly nine hundred, of whom eighty-five were officers.¹

Although the dispositions of the Commander-in-chief rendered the fall of Cornelis little doubtful,

¹ The officers who were killed, or who died of their wounds, were, Lieutenant-Colonel C. Macleod, his Majesty's 69th, and Lieutenant-Colonel Campbell, 76th : Captains Kennedy, 14th ; Oliphant, 59th ; and Ross, 69th : Lieutenants Hutchins, 22nd dragoons ; Waring, Lloyd, Litton, and Macpherson, 69th ; Hipkins, 69th ; Coghlan, 14th ; Macdonald, 5th battalion volunteers ; and Murrall, ditto 6th : and Ensign Wolfe of his Majesty's 59th.

BOOK I. yet that it was accomplished so quickly, and with a
CHAP. VI. loss which, though severe, was disproportionate to

1811. the strength of the position and the importance of the capture, was mainly attributable to the decision and activity of Colonel Gillespie. Had he paused for the junction of the rear division, had he delayed an instant to attack the exterior redoubt, and make good his passage over the Slokan, the difficulties of the attempt would have been immeasurably enhanced, and success would have demanded infinitely greater sacrifices. The same promptitude and courage characterised his subsequent movements. The defeat of the reserve and the pursuit of the flying foe; the final dispersion of the enemy's troops, and the impossibility of again concentrating a force of any consideration, were mainly attributable to his exertions. That the troops he commanded were worthy of their leader is an additional proof of his military merit.

After the annihilation of his army, General Jansens, with a small body of horse, retired to the eastern districts of Java. A squadron of frigates, with the marines and a Bengal battalion under Colonel Wood, was immediately dispatched to Cheribon, and arrived there two days after General Jansens had passed. The place was immediately surrendered. Another expedition proceeded to Madura, off the north-eastern extremity of Java, and occupied that island. On the 5th of September Sir S. Auchmuty proceeded against General Jansens, who had assembled a force consisting chiefly of native horse, and taken up a strong and fortified position at Jatu, about six miles from Samarang. The vessels arrived

off the latter port on the 12th, and the troops were landed on the following day, the town being abandoned. On the 16th they came in sight of the enemy, about eight thousand strong, principally natives, with twenty pieces of cannon, drawn up on some high and rugged hills forming the southern boundary of a valley across which lay the road. The troops with Sir S. Auchmuty were not above one thousand in number, consisting of the 14th and 78th regiments, with the grenadier company of the 3rd volunteer native battalion, and details of artillery and pioneers, with six field-pieces. Having established his guns on the heights facing the enemy, so as to keep down their fire, Sir S. Auchmuty directed the troops to cross the valley and ascend the hills opposite. The advance was made with the greatest alacrity and firmness; the valley was traversed with little loss; and, as soon as the heights were ascended, the enemy retreated in confusion. As they consisted chiefly of cavalry, they easily outstripped pursuit; but on learning that they showed an inclination to rally under the cannon of the small fort of Onarang, about four miles from the field of battle, Sir S. Auchmuty marched thither without halting, again put them to flight, and occupied the fort. This was the last effort made by General Jansens. Finding that no dependence could be placed on the only troops he was now able to collect, he proposed immediately after the action to treat for a capitulation. A cessation of arms for twenty-four hours was allowed him; and, after some hesitation on the part of General Jansens, a treaty was signed. By this it was stipulated that

BOOK I. Java and its dependencies should be surrendered to
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1811. Great Britain; that all the military should be prisoners of war; and that the British governor should be left unfettered in regard to the future administration of the island, the guarantee of the public debt, and the liquidation of the paper money.¹

Thus, as Lord Minto observed, an empire, which for three centuries had contributed greatly to the power, prosperity, and grandeur of one of the principal and most respected states of Europe, had been wrested from the short usurpation of France and added to the dominion of the British crown, and converted from a seat of hostile machination and commercial competition into an augmentation of British power and prosperity. The reduction of Java left the Eastern seas without an enemy, and the merchant-vessels of Great Britain and of British India were at liberty to pursue their peaceful and beneficent course without dread of molestation or fear of plunder. The value of the conquest was perhaps inadequately appreciated in England, but the acknowledgments of the Prince Regent were conveyed to the army and navy.² Medals were bestowed upon the King's and Company's officers who had distinguished themselves in the expedition, and

¹ General Jansens had been formerly governor of the Cape of Good Hope when it was taken by the English. Adverting to this disaster, the French Emperor, on his departure for the government of Java, significantly remarked, "*Souvenez-vous, Monsieur, qu'un Général François ne se laisse pas prendre une seconde fois.*" He had little reason to look for much favourable consideration on his return to France.

² In the debate in the Commons on the vote of thanks to Lord Minto and the army and navy for the reduction of the Isles of France and Java, Sheridan and Whitbread professed to doubt if the acquisitions were worth the cost of money and life by which they had been made. These doubts were clearly the mere effusions of party spleen.

Lord Minto was raised to the dignity of Earl of Minto.

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1811.

After the reduction of Java, the government of the island was placed in the hands of Mr. Raffles, with the designation of Lieutenant-Governor of Java and its dependencies, and the command of the troops left on the island was conferred upon Colonel Gillespie. Some time elapsed before the authority of the new government was established. The Dutch colonists, who could have no particular affection for the French, and who had experienced the overbearing and extortionary spirit of that military rule which was modelled upon the despotism to which France was subject, were for the most part well pleased with the change; but some of the native chiefs, deeming the season propitious for the subversion of all European ascendancy, manifested a hostile disposition which it became necessary to suppress. Among these chiefs, one of the most powerful was the Sultan of Yodhyakarta, who declared open war against the British, and called upon his countrymen to join him for their expulsion. Having in vain attempted to come to a friendly understanding with the Sultan, Colonel Gillespie conducted a force against his capital, and carried it by storm. The Sultan was taken prisoner and exiled to Penang, and his son was placed on the throne. The capture of Yodhyakarta, a place of great extent and some strength, defended by one hundred thousand troops, who, although defective in arms and discipline, were not wanting in intrepidity and fierceness, added another laurel to the wreath won by British valour, and intimidated the native princes

BOOK I. into a peaceable submission to a government whose
CHAP. VI. conciliatory policy they had subsequently occasion to
1812. compare with the oppression which they had been
accustomed to suffer from the Dutch.

Previously to the contest with the Sultan of Yodhyakarta, it had been found advisable to dispatch an expedition against the Sultan of Palembang, a state on the north-east coast of Sumatra. Shortly after the conquest of Java, commissioners had been sent to the Sultan to renew the engagements in which he was held by the Dutch. They had been obliged to return without effecting their object: the Sultan denied that any such engagements had ever existed, and asserted that the Dutch factory had been abandoned before the reduction of Java. To remove living evidence of the falsehood of this assertion, he razed the Dutch fort and factory, and caused the members of the factory at Palembang, now become the subjects of the British Government of Java, to be murdered. To punish this atrocity, and enforce the stipulation which had long been maintained in regard to the trade with Banca especially, a force was sent against the Sultan in March, 1812, commanded by Colonel Gillespie. He arrived off the Palembang river on the 18th of April, and the troops ascended the river in boats. No resistance was offered; and, upon the approach of the detachment to Palembang, the Sultan fled, leaving his capital and principality at the disposal of the victors. Colonel Gillespie with a small party landed on the night of the 25th of April; and, being joined by the principal part of his force on the following morning, commenced an in-

vestigation into the character and behaviour of the fugitive prince. The process seems to have been summary. Upon the depositions of two natives who had been sent to Palembang by the British Government of Java, and who accused the Sultan of the murder of the Dutch, he was declared to have forfeited his sovereignty by various acts of rapine, treachery, and barbarity, contrary to the laws of nations and his existing engagements with the Dutch, to whose right the English Company had succeeded in virtue of the cession of Java and its dependencies. A proclamation to this effect in the Malay language was read. At the same time it was announced that the Commander of the forces had selected Pangerang Adipati, the Sultan's brother, in consideration of his virtues, and the love, esteem, and veneration with which he was regarded by the people of the country, to fill the vacant throne. This person was accordingly declared true and lawful Sultan of Palembang and its dependencies, under the title of Sultan Ratu Ahmed Najam-ud-din. The first use made of his power by the new Sultan was to enter into a treaty by which he ceded the island of Banca, a dependency of Palembang valuable for its mines of tin, in absolute and perpetual sovereignty and possession to the English. On the 18th of May, Colonel Gillespie, leaving with the prince whom he had crowned a hundred men for his defence, returned to Java, taking possession of Banca on his way. The measures thus adopted by Mr. Raffles were approved of by the Governor of Bengal.¹

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1812.

¹ Most of the particulars given in the text are derived from Thorne's

BOOK I. Although the Court of Directors had sanctioned
 CHAP. VI. the expedition against Java, their views did not go

1812. beyond the expulsion or reduction of the Dutch power, the destruction of their fortifications, the distribution of their arms and stores to the natives, and the evacuation of the island. Lord Minto, however, was not prepared to expose the Dutch colonists without a government or without arms to the vindictive passions of the Javanese;¹ to consign a rich and prosperous island to an indefinite perpetuation of the elements of disorder and bloodshed; or to throw away the advantages, both commercial and political, which the occupation of Java ensured to British India and to Great Britain. He therefore recommended to the Court a reconsideration of their orders; and, upon the conquest of the island, committed it to a government composed partly of the civil and military officers of the Company, and partly of respectable colonists well affected to the English. Under their combined administration Java soon came to enjoy an unprecedented amount of tranquillity and prosperity. The country was divided into districts, each of which was placed under the management of a European Resident, who was charged with the general collection of the revenue, and the distribution of justice according to such laws as were in force, and which were unexceptionable in principle. The infliction of torture and mutilation was at once abolished; and natives were admitted to juries, from

Conquest of Java. Major Thorn served as Deputy Quarter-Master-General to the forces in Java.

¹ Letter from Lord Minto to Mr. Raffles, February, 1811; *Life of Raffles*, p. 23.

which they had under the Dutch regime been excluded. The farming of the revenues and imposts was abandoned, and the collections were made directly by the officers of the Government according to fixed rates. The arbitrary exaction of an undefined proportion of the crops was discontinued, and a settlement of a specified amount for a given period entered into with the occupants of the land. All forced requisitions of labour were prohibited, transit duties were abrogated, and the duties on external trade equalised. It were foreign to the scope of this work to dwell longer upon the improvements effected in Java whilst under British authority; but the prevalence of undisturbed internal order and peace, concurrently with the improving resources of the state, evidenced a material advance in the productive industry of the people, and an amelioration of their condition.¹

BOOK I.
CHAP. VI.

1813.

The question of retaining Java as a colony of the Crown, or of leaving it under the government of the East India Company, had been left undetermined by the British Administration, amid the mighty transactions which at this period involved the destinies of the world. One of their results was the re-establishment of the Netherlands as an independent monarchy, and the revival of those relations of amity which had at various intervals united Great Britain and Holland. In the spirit of the connexion thus re-established, the British Go-

¹ The revenues of Java realised, in 1805-6, rupees 492,128. General Daendels, in 1809, raised them to 800,000. In 1814 they amounted to 5,368,065. For this and other facts, see "Substance of a Minute recorded by Sir Thomas S. Raffles, with Appendix; printed (not published) by Black and Co., London, 1814: also his Life, and History of Java.

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vernment, without weighing with sufficient deliberation the circumstances which the altered political condition of Europe had created, and with a dereliction more liberal than politic of its own interests, hastened to replace the Dutch in their ancient Eastern possessions; and by a convention with the United Netherlands, dated 13th of August, 1814, engaged to restore all the colonies, with exception of the Cape of Good Hope and some places in the West Indies. Java was consequently among the cessions. The more pressing calls at home upon the attention of the Batavian Government delayed its availing itself immediately of the generosity of its ally; and Java did not reassume the character of a Dutch colony until the end of 1816, five years after it had been conquered by the armament from Bengal. Sir T. Raffles was spared the pain of resigning his power to the Dutch commissioners, by the appointment of Mr. Fendall, of the Bengal service, to the government of Java in the beginning of the same year.¹

¹ Some measures of the administration of Mr. Raffles had been disapproved of by the Court of Directors, particularly his alienation of the public domains in order to raise funds, in place of re-issuing a greatly depreciated paper currency, under an emergent demand for money, and the inexpediency of drawing on Bengal. Charges implicating his integrity had also been preferred against him; which, although acknowledged in most unqualified terms by the Court to be utterly unfounded, seem to have produced a bias unfavourable to him in the mind of Lord Moira, and to have had some influence in his supersession. His provisional appointment, by Lord Minto, to be Resident at Bencoolen was confirmed, and he repaired thither after a visit to England, where he received the honour of knighthood in the end of 1817.—*Life*, p. 290.

CHAPTER VII.

Return of the Governor-General from Java.—Internal Administration.—Indications of future Hostilities.—Relations with Hyderabad and Nagpore.—Misgovernment of Oude.—Interference of the Government of Bengal.—Differences between the Nawab and the Resident.—The latter supported by Lord Minto.—Defects in the Judicial and Revenue Systems of the British Government.—Mohammedan and latter Hindu Systems.—Concentration of Functions.—Judicial officers.—Circumstances counteracting defective Administration.—State of Civil and Criminal Justice.—Consequences of establishing Civil Courts,—multiplication of Suits,—arrears of Decisions,—no effective remedy applied.—State of Criminal Judicature,—similar arrears.—State of Police.—Classes of Robbers,—prevalence of Dakoiti, or Gang robbery,—atrocities perpetrated,—difficulty of detection and conviction.—Evils of excluding Native co-operation,—attempts to recover it,—failures. Superintendents of Police and Special Magistrates appointed.—Employment of Informers.—Diminution of Dakoiti.—Revenue System,—review of.—Proprietary right of the Sovereign not of Hindu but of Mohammedan origin.—Doctrines of the latter.—Notions of the people.—Nature and extent of public demand under the Hindus and Mohammedans in earlier and later times,—from whom demanded.—Variety of Proprietary rights.—Village communities,—their origin,—legislation,—colonisation,—

conquest.—Traces of property extinguished by the exactions of the Government, and Village communities destroyed,—in some provinces,—not in all.—Variety of Organization,—different rights of the members,—peculiarities of constitution,—general identity.—Classes of tenants,—perpetual,—temporary.—The Public Revenue how realised.—Revenue officers.—Head-men of villages,—modifications of the office.—Function of Zemindar,—degree of his proprietary right,—contingent advantages,—consideration among the people.—Course adopted by the British Government.—Permanent Zemindari settlement ordered for Madras.—Commencement of Ryotwar settlement.—Principles of assessment urged by Lord W. Bentinck,—abandoned by the Government of Madras.—Village settlements formed.—Perpetual settlement at Madras prohibited by the Court of Directors.—Settlement of the Ceded and Conquered Provinces of Bengal.—Commission of Inquiry,—recommend delay of a permanent assessment,—recommendation disregarded by the Government.—Expected advantages of permanency,—not realisable,—illusory nature of the provision,—moderate assessment all that is essential,—principle discountenanced in England.—Permanent settlement of the Ceded and Conquered Provinces forbidden.—Regulations for the protection of the Ryots.—House-tax,—resistance at Benares,—repealed.—Religious riot at Benares.—Missionaries in Bengal,—established at Serampore,—checked by the Government.—Lord Minto's encouragement of Oriental Literature,—interest in the College of Fort William.—Financial operations.—Close of Lord Minto's Administration.

THE Governor-General returned from Java to Calcutta towards the end of 1811; and the remaining period of his administration was occupied with the resumption and prosecution of measures affecting the welfare of British India in its amicable relations with the neighbouring states and its allies, and in the promotion of its internal prosperity.

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The peace of India remained undisturbed; but various indications occurred of an approaching necessity for departing from the pacific principles which had generally regulated the policy of the Government. On the north, the Court of Nepal had asserted claims to territory within the Company's boundaries which were questioned or denied; and had instigated, or allowed its subjects to commit, encroachments and outrages which demanded serious notice. In the south, the style assumed by the officers of the King of Burma in their intercourse with the English functionaries at Chittagong, arising out of insurrections in the intermediate province of Aracan lately conquered by the Burmese, revealed an arrogant and usurping spirit which it would probably require force to repress. On the western frontier, the banditti known as Pindaris were becoming daily more confident and daring; and in 1812 a party of them violated the integrity of the British dominions, broke through the boundaries, and advanced to the wealthy commercial city of Mirzapore, which they threatened to plunder. The approach of troops saved it from destruction, and the Pindaris retired. To prevent the repetition of a similar irruption, treaties were formed with the

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Rajas of Tehri and Rewa,¹ by which they were bound to close the passes in their several principalities against the Pindari incursions, and a cordon of troops was stationed along the frontier from Bundelkhand to Midnapore. At the same time that these precautions were taken, it was foreseen that they would be mere palliatives; and a time was contemplated when it would be necessary to undertake a system of military and political operations calculated to strike at the root of this great and increasing evil.² The period was not long deferred; but the arrangements adopted belong to a different administration. The same was the case with the course that was ultimately pursued with respect to Nepal and Burma; and we may therefore suspend their consideration until the power of the British Government was exerted to place its rights beyond dispute, to secure its confines from aggression, and to eradicate the predatory pestilence which had so long preyed upon the strength, and wasted the energies, of Central India.

The subsidiary alliance with Hyderabad had undergone no material alteration since the interference of the Government of Bengal in the appointment of a minister. The Nizam, discontented and sullen, took little concern in public business, and sought consolation for wounded pride in sensual indulgence. His minister, Munir-al-Mulk, equally indolent and incapable, followed his sovereign's ex-

¹ Treaty with Raja Bikramajit of Tehri, 23rd December, 1812. The treaties with the Rewa Raja have been previously referred to.—*Treaties with Native Chiefs*, xlix.

² Secret Letter from Bengal, 2nd October, 1812; *Papers, Pindari War*, p. 14.

ample; and all the labour, but with it much of the authority, devolved upon the Hindu subordinate, Chandu Lal. Strong also in the assured support of the Resident, the Dewan made but an indifferent use of his responsibility, and to his own purposes and emolument sacrificed the interests of the prince and the prosperity of the people. At the recommendation of the Resident, Chandu Lal consented to the reorganisation of the military contingent which the Nizam was bound by treaty to furnish, and, instead of a body of irregulars, to maintain a standing disciplined force under British officers. This was gradually increased to above twelve thousand men, horse and foot, and proved itself of eminent service in the subsequent war. Its chief value in the estimation of the minister was the weight which it gave him in his dealings with the Court, and the coercive means it enabled him to employ against refractory landholders, and farmers of the revenue, on occasions when the aid of the subsidiary brigades was withheld. The sanction of the Government was given to the arrangement. A similar plan was recommended to the Peshwa, and he also assented to the formation of a disciplined brigade under British officers.¹

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The necessity which has been described of interfering for the defence of the Raja of Nagpore naturally directed the attention of the Government to the permanent maintenance at his expense of a military force. Negotiations with this view were opened; but the objections of the Raja to a sub-

¹ Report, Select Committee, 1832; Political Appendix, pp. 133, 206.

BOOK I. subsidiary alliance were not to be overcome, and the
CHAP. VII. arrangement was deferred.¹

1812. A long, and occasionally an uneasy, discussion with the Nawab of Oude engaged at this time in an especial manner the deliberations of the Government and of the Court of Directors. The frequent applications made by the Nawab for the services of the subsidiary force in the compulsive collection of the revenues of Oude had occasioned extreme dissatisfaction in the minds of both the local and the home authorities, as they were well aware that the troops were in this manner often employed on duties incompatible with their military character, and were converted into instruments of extortion and oppression. Supported by the sanction and injunctions of the Court of Directors, the Governor-General determined, towards the close of 1810, to express to the Nawab in an unqualified manner the sentiments with which his fiscal administration was regarded, and the conclusions of the Bengal Government that a change of system was indispensably necessary. A letter was accordingly addressed to him by Lord Minto, earnestly recommending to him to institute a reform which should be based upon the fundamental principles of a moderate assessment, to be made by the officers of Government immediately with the landholders, without the intervention of a contractor or farmer of the revenue. The settlements were to be made for a fixed term of years, and the occupants of the land were to be guaranteed in their occupancy as long as the amount of the assessment

¹ Report, Select Committee, 1832; Political Appendix, p. 227.

was regularly discharged. Other reforms, relating to the police and the administration of justice, were suggested at the same time; and the Resident was instructed to use an urgent and decided tone in pressing these recommendations upon the consideration of the Nawab.

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The interference which was thus exercised by the Government of Bengal in the internal regulation of the affairs of Oude was grounded upon the article of the treaty of 1801, in which the Nawab “engaged to establish in his reserved dominions such a system of administration, to be carried into effect by his own officers, as should be conducive to the prosperity of his subjects, and calculated to secure the lives and property of the inhabitants; and that his Excellency would always advise with, and act in conformity to, the counsel of the officers of the Honourable Company.” The explanation subsequently given by Lord Wellesley to the Nawab of the principles which were to regulate the intercourse between the two states amplified the expressions of this article; and whilst it declared that the Resident was to be the representative of the Governor-General, and the channel by which the sentiments and counsels of the British Government were to be communicated, enjoined that functionary to treat the Nawab with the utmost degree of respect, conciliation, and attention, and to maintain cordial union and harmony in all transactions.

How this was to be accomplished when the sentiments of the Nawab differed from those of the Resident? what security was provided for the acquiescence of the former in the counsels of the

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CHAP. VII. of the British Government and of its representative

1812. were really calculated to promote the interests of the prince and his people? and by what means compliance was to be enforced consistently with the degree of independence which the Nawab was allowed to retain? were questions which the vague and indefinite phraseology of both treaty and explanation left for the embarrassment of Lord Wellesley's successors.

On the present occasion all these sources of perplexity occurred. Professing himself willing and desirous to defer to the advice of the British Government, the Nawab entertained insuperable and not unreasonable objections to the propositions submitted to him. It was recommended to him to take as a model, the arrangements introduced into the Ceded provinces with, it was affirmed, entire success; to relinquish the practice of farming the revenues; to institute an inquiry into the productiveness of the lands; and, upon a determination of their value, to settle with the proprietors a moderate rate of assessment for a period of three years. To these recommendations the Nawab at first gave his general assent; but he started doubts as to the practicability of their execution, the delays and difficulties which would attend the valuation of the lands, and the impossibility of finding functionaries qualified and fit to form settlements with the landholders. On the other hand, the Resident, Major Baillie, sanguine in his expectations of success, treated the Nawab's doubts as evasive, and, instead of observing the conciliatory course prescribed by Lord Welles-

ley, pressed the reform with a degree of positiveness and importunity which furnished the Nawab with a fresh cause of alarm, and led him to apprehend that the Resident's objects were to take into his own hands the nomination of the revenue officers and an inquisitorial scrutiny into his revenues. Each charged the other with a virtual infraction of the treaty; the Resident accusing the Nawab of disregarding the advice of the British Government, and the Nawab complaining that he was not permitted to judge what measures were conducive to the prosperity of his people, or carry them into effect through the agency of his own servants. There were several other sources of disagreement, arising chiefly out of the advocacy by the Resident of the rights and claims of the members of the Nawab's family, or of individuals taken under his especial protection, in opposition to the wishes of the Nawab. In most of these cases the conduct of the Resident might be defended, either by existing or implied engagements with the British Government; but it necessarily reminded the Nawab of the unreality of the independence with which Lord Wellesley had pretended to invest him in all matters of a private and domestic nature.

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After much lengthy correspondence and various personal conferences, in which the Nawab under the operation of fluctuating feelings repeatedly promised acquiescence, and as often evaded the fulfilment of his promises, the Government of Bengal, then administered by General Hewett as Vice-President during Lord Minto's absence at Java, determined to refrain from urging the question of

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reform further. They argued that it would be of little avail to enforce the Nawab's adoption of a plan the execution of which he could easily, and would most certainly, frustrate; that his objections to any particular scheme of reform could not be construed into a systematic disregard of the counsels of the British Government, for which, on the contrary, he professed the utmost deference; and that, consequently, to have recourse to the only method of compulsion which could be contemplated, that of denying him the services of the subsidiary force for the suppression of insubordination and resistance to his authority, would be an unjustifiable departure from the conditions of the alliance. Whilst expressing therefore extreme dissatisfaction with the Nawab for the insincerity and prevarication which he had displayed, the Resident was instructed to relinquish for the time all further efforts to obtain his consent to the proposed reform.¹ With regard to the employment of British troops against refractory Zemindars at the requisition of the Nawab's collectors, the Government confirmed a resolution to which they had previously come, of not allowing their employment without an investigation by the Resident of the occasion which demanded it.

The question of reform remained unagitated during part of 1812, but causes of disagreement were not wanting. In the commencement of the year an

¹ Letter from the Bengal Government to the Court of Directors, 15th October, 1811, in which the negotiations with the Nawab are detailed: Report, Select Committee, 1832; Political Appendix, 414. The correspondence between the Nawab, the Resident, and the Government, are printed also in the "Oude Papers," printed for the Proprietors of East India Stock, June, 1824.

application was made by the Nawab for troops to put down an insurrection; but the Resident, ascertaining that the disturbance was of no importance, and was connected, as usual, with the exactions of the farmers of the revenue, insisted on the prior investigation of the merits of the case, or the deputation of his own agents for the purpose. The Nawab declined compliance, and no troops were sent. Shortly afterwards, some of the Nawab's proceedings encroaching on the rights of the Bhao Begum of Fyzabad, the widow of his father, were opposed by the Resident, as these rights had been guaranteed by treaty. This interference in his domestic concerns was a source of severe mortification to the Nawab, and he strenuously denied the right of the Resident to interpose. Towards the close of the same year, the Government of Bengal had its attention called to outrages and robberies committed on the British frontiers by marauding gangs from Oude, whom the Nawab's officers were either unable or unwilling to restrain. As this evil had been the frequent topic of unavailing representation, it was now announced to the Nawab that the plunderers would be pursued into his country by the British troops without his permission if his acquiescence were withheld. All these sources of vexation produced a formal complaint of the Nawab against the Resident for insolent and arrogant behaviour: the charge was met by the Resident's denial, and a recriminatory accusation of an improper want of respect to the British representative in the tone and style of the Nawab's correspondence. The Government pronounced their entire approbation of the

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BOOK I. Resident's conduct, and required the Nawab to
CHAP. VII. adopt a more deferential style of address.

1813. These proceedings for a while intimidated the Nawab into professing his resolution to conform to the wishes of the Government in all things: but the imperfect execution of his promise drew from Lord Minto,¹ in July, 1813, an address of remonstrance and expostulation, reminding him that the British Government had a right, founded upon the basis of the subsidiary treaty, to propose such reforms in his internal government as it deemed essential, and that he was held by the same treaty under an obligation to follow such advice; that he had admitted the necessity, and both verbally and in writing had given assurances of his acquiescence in a manner little less authentic and formal than if they had been reduced to the form of a treaty, and equally binding on his honour and good-faith; notwithstanding which, he had retracted his consent, and opposed the most determined resistance to the efforts made by the Resident, acting under the positive orders of the Government, to induce him to abide by the terms of his engagements. Lord Minto declared also, that, upon receiving the Nawab's acquiescence, the British Government would have been entitled, and was perhaps required, to insist on his carrying the proposed plan into effect at once; and instances the patience and respect with which his objections had been listened to and refuted, as undeniable proofs of its forbearance and moderation. Not a single argument against the

¹ Letter from the Governor-General to the Nawab Vizir, 2nd July, 1813; Oude Papers, p. 506.

plan had been adduced but had been respectfully entertained, deliberately examined, and successfully combated; and the doubts and fears still professed by the Nawab could be ascribed to no other motives than a decided resolution to oppose the introduction of reform altogether, in the vain hope that the Government would ultimately abandon the question in despair. The Nawab was assured that no lapse of time, no change of circumstances, would ever induce the British Government to relinquish a measure which it considered essential to the happiness and prosperity of Oude, the ease and reputation of the Nawab, and the best interests of both states. He was also warned, that, if he persisted in his refusal, he would violate an express stipulation of the treaty; and he was requested seriously to consider the consequences in which he might involve himself by such a course of conduct. Lord Minto therefore expressed his confident expectation that the reform recommended would be carried into effect without further opposition or delay. The Governor-General explained his views upon the other points under discussion in a like peremptory strain.

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Fortified with the decision of the Government, the Resident proceeded to insist upon the Nawab's immediate adoption of the measures proposed, and, in his ardour and impatience, demanded for the British Government a degree of participation in the ordinary administration of Oude scarcely warranted by the spirit or letter of the existing engagements, when he maintained that every act whatsoever—the lease of a district in farm, the institution of a court of justice in the capital, the change of any police

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regulation,—without the previous concurrence of the Governor-General, was a direct violation of the treaty, for which the Nawab might be made responsible; or, in other words, might be divested of all authority whenever it pleased the Government to call him to account. That such minute and vexatious interference was intended by the original contract, may be reasonably questioned; but the present discussions showed the extreme difficulty of defining the just limits of interposition, and the unavoidable tendency of all such political associations to render the will of the controuling power the sole standard of the necessity of its interference. The Nawab became alarmed, and, in the month of September, he announced his final determination to give immediate operation to the project of reform, by dispatching officers to adjust an equitable assessment; and he instituted arrangements for affording satisfaction on the minor topics of dispute. Before any important results could be realised from these preliminary measures, the Government of India passed into other hands, and different views influenced the counsels of Lord Moira.

Although the countries which had been brought under British sway had derived from it the benefits of exemption from foreign invasion and internal disorder for some years, yet the progressive amelioration of the condition of the people had failed to keep pace with the expectations and hopes of their rulers. This was and is still to be ascribed to radical defects in the systems of judicature and revenue which had been introduced; and which, although they were based upon just and benevolent principles,

were too entirely of a European complexion to be readily identifiable with the very different aspects of society which existed in Hindustan. They had been framed upon insufficient inquiry, and had been brought in abruptly, without having been suffered to grow up gradually and spontaneously with the continuance of the new and anomalous constitution of things to which they owed their origin. They were still only in the course of adaptation to circumstances; and it was, and has since continued to be, the anxious object of both the local and home authorities to provide a remedy for those defects which their developement displays.¹ The subject has been already treated of at some length; but as the observations made in a former volume were in some degree anticipatory, and the facts on which they were founded belong to the period now under review, as also they were restricted to the Bengal provinces, some further notice of them here may not be superfluous or out of place.

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Whatever may have been the case when the Mohammedan and Hindu governments were in full vigour, it was undeniable that, for a considerable time before the establishment of British supremacy, the people of India had been unaccustomed to any regularly organised and administered system of law or justice. In Upper India, Mohammedan domination had left few and obscure traces of Hindu institutions; and those which they had substituted,

¹ In 1813 the Court of Directors circulated queries regarding the working of the Judicial system in India, to several of their most distinguished servants then in England. The questions and replies are printed in the Selections from the Records at the East India House printed by order of the Court, vol. ii.

BOOK I. never very pure or perfect, had almost equally dis-
CHAP. VII. appeared in the anarchy by which Hindustan had

1813. long been distracted. The same was very much the case with the territories under the Madras Presidency that had been subject to the Moham-medans; and, if Hindu usages lingered in the Mahratta states, they had lost much of their primary character amid the irregular and arbitrary practices of the ruling authorities. The main principle that everywhere regulated the administration was the concentration of absolute authority; and the same individual was charged with the superintendence of revenue, justice, and police, with little to guide or restrain him except his own perceptions and sentiments of equity, and a prudent consideration for his own safety and advantage. Even in the best of times the sovereign, whether King or Raja, was the fountain of law and justice; and the Subahdar, the Nawab, the Jagirdar, all holding delegated or usurped authority, claimed the same prerogative. The Kazi, or Nyayadhipati, Mohammedan and Hindu expounders of the law, were sometimes retained in principal towns as judges of civil and criminal law; but their authority was ill defined, their labours were ill paid, and justice received little profit from their nomination. The police of cities was also in some places under the authority of an appointed officer, the Fojdar or Kotwal, who was responsible to the governor of the district or city; but in the villages and in the country the village head-men, or Patéls, where such existed, and in other parts the Zemindar, who combined the character of landholder and collector of the revenue, claimed

the charge of the police, and the decision of civil and criminal suits. The leading object of the native governments was the realisation of the largest possible amount of revenue; and all persons engaged in this duty, whether as fiscal officers or as farmers and contractors, were armed with plenary powers both as magistrates and judges: a pertinacious appeal from those whom they oppressed might sometimes reach the ears of their superiors, but in general this resource was imperfectly available, and the people were left to the uncontrouled will of individuals.¹

¹ All the Bengal civilians concur in stating, that, according to their belief, no remains of ancient institutions existed in Bengal. Of the state of law and justice among the people, the following are some of the results of their observations: "The people had no idea of being protected by law against abuses of power. When an Aumil (a native revenue or executive officer) was guilty of gross injustice and oppression, they might endeavour to get rid of him by a clamorous remonstrance in a body to the authority to which he was accountable for his conduct; but, generally speaking, they were quite at his mercy. Probably they had no conception of a more safe and rational system until they saw the effects of the judicial regulations of 1793. The spirit of the old institutions of Hindustan survived their formal abolition as long as the Company's servants united the offices of collector, judge, and magistrate."—Ernst, *Records*, i. p. 27. "During the Mohammedan government in Bengal, in the large Zemindaris, consisting of several pergunnas, it was usual to have pergunna Cutcheris (courts), and the Tehsildar (collector) of the pergunna, who was the Zemindar's agent, decided in civil suits; village Gomashtas (agents) also exercised the same authority, and recourse was frequently had to arbitration by their orders. The Zemindars and their Dewans also decided civil suits according to the ancient Hindu custom. In cities and large towns, and in each pergunna, Kazis were appointed, who decided in civil suits. They appear to have been the judicial officers on the part of the Nawabs, but the Zemindars never gave up their right of deciding in civil suits."—Cox, *ibid.* p. 47. "Every province in India is divided into small tracts called villages: the affairs of every village are managed by two head-men, the Potail and the Curnum; the Potail is the chief of the village, and acts in it as judge, magistrate, and collector."—Munro, *ibid.* 106. "The authorities by whom civil justice was administered were the following: in the country, the Potail; over him the Mamlutdar (district collector), and Sirsubahdar (head of a large division); and above all, the Peshwa, or his minister. Jagirdars administered justice in their own lands; the great ones with little or no interference on the part of the Governments. In some towns there was a judicial officer called the Nyáyádesi, (the same as Nyáyádhpati, superintendent of Nyáya—justice,) who tried causes under the Peshwa's authority; and any person whom the Peshwa pleased to authorise might conduct

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Incompatible as such a state of things must be with the feelings and principles of Europeans, its effects upon the condition of the inhabitants of India were not wholly subversive of their happiness. The persons placed over them belonged to themselves, were assimilated in religion and language, conversant with their usages, and not regardless of their good opinion. Their decisions, although not guided by a code of laws, were founded upon an accurate knowledge of persons and things; and, when not distorted by sinister influences, were commonly conformable to equity and good-sense. The proceedings of these self-constituted courts were simple, and their sentences summary; they were not embarrassed or retarded by complicated forms and technical pleadings; and the people escaped the tax upon their money and time, which more elaborate judicature imposes. Another advantage contributed to counteract the defects of the system. In the absence of courts of justice provided by the state, the people learned to abstain from litigation; and, when disputes among them arose, submitted them to the arbitrement of judges chosen among themselves.¹ This expedient had probably descended from ancient times, in which it had been a recognised element of Hindu judiciary administration under the denomination

an investigation, subject to his highness's confirmation."—Elphinstone's Report on the Mahratta Provinces; Selections from the Records, iv. p. 188.

¹ "With all these defects, the Mahratta country flourished, and the people seem to have been exempt from some of the evils which exist under our more perfect government: there must, therefore, have been some advantages in the system to counterbalance its obvious defects, and most of them appear to me to have originated in one fact; that the Government, although it did little to obtain justice for the people, left them the means of procuring it for themselves."—Elphinstone; Selections, iv. 194.

of Pancháyat;¹ but it had fallen into desuetude in most parts of India, and subsisted, in any degree of efficiency, only in the south.² Although the Panchayats were not inaccessible to personal bias or corruption, and their proceedings were occasionally irregular and tedious, yet they were suited to the circumstances and congenial to the feelings of the people, and supplied the place of better organised and more solemn tribunals.³

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¹ From the Sanscrit word *pancha*, or *puncha*; *πεντε*, quinqué, five : the court being originally, perhaps, formed of that number, but in common practice it was exceeded. Mr. Elphinstone says, "The number was never less than five, but it has been known to be as great as fifty."—Elphinstone; Selections, 189.

² Sir Henry Strachey says, "I do not recollect any remains of ancient Hindu institutions, not even the Panchayet; but, the term being well known in Bengal, it is probable that the thing exists in some parts of the Bengal provinces, and that it is occasionally resorted to voluntarily by the Hindus in disputes concerning caste, and perhaps in matters of village accounts and boundary disputes. I remember no instance of parties in a suit proposing a reference to the Panchayet. Our civil courts never discourage any kind of arbitration; they constantly recommend it to the parties, who will never agree to it."—Answers; Selections, p. 53. All the Bengal civilians state the same. Mr. J. A. Grant, of Bombay, says of the Panchayats on that side of India, "They direct their attention chiefly, I believe, to matters of discipline and ceremonial observance, connected with the customs and usages of their several sects. They exercise no judicial authority."—Selections, ii. 192.

³ It was especially in the Mahratta provinces that "the Panchayet might be considered as the great instrument in the administration of justice."—Elphinstone. Mr. Elphinstone, Colonel Munro, and Colonel Walker speak favourably of their operations, although from the details specified they seem to have been clumsy instruments. The members were selected by the parties, and were not uninfluenced by the hope of presents from one or both: the attendance of the members was very irregular, and there seem to have been no efficient means of compelling punctuality; "it was generally effected by the intreaties of the party interested." Proceedings were seldom recorded: "in villages the Panchayet was often conducted in the way of conversation, and nothing was written but the decision, and not always that." "Throughout the whole proceedings the Panchayets appear to have been guided by their own notions of justice; they consulted no books, and it was only on particular points of Hindu law that they referred to a Sastri (one learned in the law) for his opinion." The Panchayat had no power to enforce its decrees; they required to be confirmed and executed by an officer of Government, to whom "for this cause frequent references were required, and he exercised a considerable influence on the progress of the trial." Notwithstanding these imperfections, the Panchayat must have exercised a be-

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Upon the establishment of regular courts of justice under the government of the East India Company, the novelty of a channel exclusively dedicated to the hearing and determining of complaints, and a belief that they would be investigated in an upright and impartial spirit, produced inconveniences which had not been foreseen. Every one who had, or fancied he had, a wrong to redress, resorted to the courts; and the numbers of the suitors speedily became so numerous, that the means of hearing and adjudicating their cases were wholly insufficient.¹ The jurisdiction of each court comprehended an extent of country and an amount of population vastly beyond the powers of a single establishment. The very qualities which constituted the peculiar recommendations of the new courts added to their insufficiency.² As little as possible was left to individual discretion. Deliberate forms and prescribed modes of procedure, whilst they secured exactness, impeded dispatch. Reference to the regulations of the Government, and to the written authorities of Hindu and Mohammedan law, retarded decision; and the multiplication of opportunities of appeal

neficial influence, as it enjoyed great popularity; as is proved by the current phrase, "Panch-Parameswara," Panchayet is God Almighty.—Elphinstone; Selections, iv. 191.

¹ In 1797, the number of suits instituted was 380,977, although the western provinces had not been acquired: they began to decrease from 1803, and in 1813 were only 184,790.—Selections from the Records, iv. 34.

² In the Bengal Presidency the population subject to a Zilla court was generally about a million. The Zilla of Midnapore was one hundred and thirty miles long by forty to fifty broad.—Sir Henry Strachey and others. At Madras the Zillas were more compact, and generally contained about half a million inhabitants.—Cockburn. "The Ceded districts, at first divided into three, since into two, Zillas, contain about twenty-nine thousand square miles,—about the extent of Scotland, but more populous."—Thackeray; Answers to Queries; Selections.

from one tribunal to another encouraged and perpetuated litigation. The unavoidable deficiencies of laws, which, whether Hindu, Mohammedan, or English, were devised for wholly different conditions of society, and had not yet become adapted to the changes still in progress, with the unfitness of some of the European judges, from their imperfect knowledge of the languages of the country and the habits of the people,¹ as well as their ignorance of the principles of law and their occasional negligence, contributed to aggravate the defects of the system, and to obstruct the course of judgment. Arrears became in consequence so numerous, and decisions were so long delayed, as to amount to a virtual denial of justice. Attempts were made from time to time to remedy these imperfections: charges and fees were imposed, in order to render justice more expensive and discourage litigation; additional courts were established, at a cost which became burthensome to the state; additional powers were given to the judges, and the privilege of appeal was subjected to new limitations;—measures in some respects exceptionable, and in all inoperative; and the accumulation of arrears, although to a less extent, still continued to constitute a serious evil.² To the most obvious remedy, the multiplication of courts and judicial functionaries in an equally pro-

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¹ "There is a want of something like professional knowledge, that is, knowledge of the general principles of law, in both the Zilla and provincial judges; and part of the persons in the judicial line are not fit for that part of the service."—Dorin; Selections.

² The suits depending in Bengal at the end of 1802 were 170,706; at the end of 1813, 145,168: for the clearance of which it was estimated that three years would be required in the Zilla, and four in the provincial courts.—Commons' Committee, 1832; Judicial; Appendix, vii. 479.

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gressive ratio, was opposed the heavy expense of adding to the number of European magistrates.¹

Any considerable augmentation of native judges, who were employed to a limited extent, and whose services were much more economical, was resisted by a violent prejudice against their agency. Their fitness for the office, as far as it required ability and knowledge, was generally admitted; but it was maintained that their notorious want of integrity rendered it impossible that justice could be distributed to the people through so corrupt and impure a channel.² The imputation was not perhaps

¹ The annual expense of the judicial establishment in Bengal was calculated by Lord Cornwallis at £306,000. In 1809-10 it had risen to £806,000. The whole cost at the three Presidencies was at that time £1,260,840. In 1813 it was £1,572,492.

² "I think it quite out of the question to trust the natives with any principal part in the administration of justice. I am not aware that they want the ability sufficient to decide ordinary questions with tolerable skill, but even the better sort of them are notoriously open to corruption; there is scarcely any thing like principle among them. I know there are some who think these native judges do more harm than good, and should be dispensed with altogether."—Dorin. "The natives can rarely, I fear, be exclusively trusted with the administration of justice; and, in any part of the judicial system allotted to their execution, they must be superintended by Europeans."—Falconar. Sir Henry Strachey, Colonel Munro, and Colonel Walker entertain different views. "It is my opinion that all the judicial functions of Bengal might gradually be thrown into the hands of natives, and that the business would be as well conducted under our regulations by the natives as by Europeans; in some respects better, and at one tenth of the expense." And again: "I am of opinion that, with respect to integrity and diligence, the natives may be trusted with the administration of justice. I think no superintendence of Europeans necessary." "We place the European beyond the reach of temptation; to the native we assign some ministerial office with a poor stipend of twenty to thirty rupees a month: then we pronounce that the Indians are corrupt, and that no race of men but the Company's servants are fit to govern them."—Sir H. Strachey. "In a civilized populous country like India, justice can be well dispensed only through the natives themselves. It is absurd to suppose that they are so corrupt as to be altogether unfit to be entrusted with the discharge of this important duty: if they were so, there would be no remedy for the evil; their place could never be supplied by a few foreigners imperfectly acquainted with their customs and language." Again: "Give a native judge from five hundred to one thousand rupees a month, he will decide thrice as many causes as a European. He might be corrupt; turn him out and try another,

wholly unmerited, but the charge was much too unqualified, and the evils anticipated were greatly exaggerated. Nor was it sufficiently considered by what means they might be remedied : whether they might not be checked, if not prevented, by better pay, higher dignity, vigilant superintendence, and occasional disgrace ; whether natives might not be influenced as well as Europeans by the hope of reward and fear of punishment. Corruption could not be universal. The temptation could not in every case outweigh the risk ; and no account was made of the force of public opinion, to which the natives of India are not insensible. It seems also to have been forgotten, that, for centuries prior to the introduction of European agency, law and justice had been administered solely by natives ; yet society had been held together : and there had been times when, according to the testimony of travellers and historians, India had been populous and flourishing, the people thriving and happy. This was still the case in some parts of the country ; and, if it was not so more generally, the cause was to be found in the absence of good government and the prevalence of internal disorder, in which all institutions had been overturned, and the principles as well as the practice of justice had disappeared. It was taking a narrow and ungenerous view of the question to draw a con-

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and another. Make it worth his while to retain his post, and he will cease to risk its forfeiture. If we pay the same price for integrity, we shall find it as readily amongst natives as Europeans."—Munro. "The aim of the preceding observations has been to show that the natives of India may, in respect to integrity, be trusted with the administration of justice ; and that some of the civil offices of government may be confided to them with safety and advantage."—Walker ; *Answers to Queries ; Selections*, vol. ii. There will be subsequently occasion to advert to later opinions on this subject.

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clusion unfavourable to the native character from the state in which it had been left by the recent times of trouble, and, overlooking what it had been in better days, deny the probability of its amelioration under more propitious circumstances. The truth was beginning to be discerned ; and, amid the prevalence of a contrary opinion, some few of the Company's servants warmly advocated the extended employment of the natives in the administration of justice as the only practicable means of proportioning the supply to the demand. The question continued in suspense, and little advance was made in the improvement of the judicial system in Bengal during Lord Minto's government. Measures were, however, in progress which were brought to maturity under his successor. Changes of more considerable magnitude took place at Madras, but they also underwent important modifications at a shortly subsequent period.¹

¹ Bengal Regulation xiii. of 1808 enacted that the origination of civil suits of five thousand rupees and upwards should be transferred from the Zilla to the provincial courts; and Regulation xiii. of 1810 provided that decrees might be passed by one judge in sundry cases where two had been necessary, and that the fees on the institution of suits should be partly or wholly returned when the parties settled the cause by arbitration. At Madras, in 1808, Regulation v. enacted the payment of fees on the institution and trial of suits. Regulation vi. empowered the senior judge of the courts of circuit and appeal to take his tour of circuit duty. Regulations viii. to xiii. effected a new arrangement of the jurisdiction of the Zilla courts in the different divisions of the Madras provinces, and established four courts of appeal and circuit. In 1809, Regulation vii. provided for the occasional appointment of Zilla judges, extended the jurisdiction of the registers, limited appeals, and provided head native commissioners in certain cases. Regulation viii. defined the duties and powers of judges of the provincial courts acting singly. Regulation x. increased the number and powers of native commissioners; and Regulation xii. limited and regulated the right of appeal. Up to the year 1808, the Regulations of the Bombay Presidency were framed as nearly conformable to those of Bengal as circumstances would admit, with exception that, while the Mohammedan law was there alone applicable to the decision of criminal trials, the Hindus under the Bombay Presidency were allowed the benefit of the laws

Delays of a similar nature, although not to a like extent, were found to prevail in the administration of criminal justice ; and, in a great measure from a like cause, the inadequacy of the provision made for its distribution. An evil of a still more pernicious tendency originated in the assignment of the duty of magistrate to the city or district judge. If as judge he devoted his attention to the civil suits in arrear, the business of the magistrate was necessarily interrupted, and an interval might intervene between the apprehension of a prisoner and his commitment, which sometimes subjected the innocent to the punishment of the guilty, and detained for an indefinite period a person in confinement against whom no charge could be substantiated.¹ The same remedy that was applicable to the former case was here also obvious, and the separation of incompatible duties was a necessary preliminary to their effective discharge. For this purpose the Bengal Government associated the Zilla and city judges in some instances with magistrates having a special or joint jurisdiction in criminal matters only, or gave them the aid of assistant magistrates, acting in general subordinately to, but upon emergencies independently of, the judges. Other enactments were passed for the more effective conduct of previous investigation by the local officers, for admission to bail upon charges not

of their religion in all trials, of whatsoever description, wherein they were the defendant or accused parties. At this period the Government of Bombay exercised the right, with which it was invested by the 47th of George III. sect. iii. chap. 68, of making Regulations of its own authority ; and in this and subsequent years the following Regulations provided for the more effective administration of civil and criminal justice : 1808, Regulation ii. ; 1812, Regulations iii. to xi. ; 1813, Regulations ii. iv. vii. ix.

¹ Fifth Report, p. 69.

BOOK I. of a heinous nature, for the dismissal of frivolous
CHAP. VII. complaints, and the avoidance of all unnecessary

1813. delay between the apprehension of a person accused and his examination before the magistrate.¹ The criminal, as well as the civil judicature, was the object of progressive legislation.²

The state of the police formed in Bengal a more immediate subject of solicitude than even the defects of the administration of civil or criminal justice. The Lower provinces of the Presidency were infested by the increasing numbers and audacity of various classes of robbers, who, under the designations of Dakoits, Choars, Kuzzaks, Budhuks, or Thugs, infested the country, and not unfrequently added murder to robbery. The Kuzzaks were mounted robbers, who occasionally singly beset the high roads, or, having collected in parties, attacked and plundered whole villages. The Budhuks and Thugs were distinguished by their practice of strangling unsuspecting travellers, with whom they contrived to fall in upon a journey. The Dakoits and Choars were robbers who assembled in gangs, and, entering the villages by night, attacked the house of some one person reputed to possess valuables or money. These last were the

¹ Regulation xvi. of 1810.

² Regulations ix. 1807, and iii. 1812. Madras Regulation i. 1810 provided for the apprehension and punishment of persons resisting or evading the processes of the courts: Reg. i. of 1811 directed quarterly jail deliveries to be held in certain Zillas: Reg. iv. of 1811 had for its general scope the objects of the Bengal Regulations: Regs. iv. of 1807, and iii. of 1812, the more speedy trial and punishment, or acquittal, of persons charged with offences not of a heinous nature; this also enjoined the Zilla magistrates to furnish an annual report of all cases depending on the 31st of December before them or their assistants. The Bombay Regulations are cited above.

most formidable. Their depredations were first noticed in 1772, when they were described by the Committee of Circuit as individuals not driven to such courses by want, but robbers by profession, and even by birth, following the profession from father to son. But, however true this may have been at the period of the report, there was no doubt that latterly many of the members of the several gangs were not professional banditti, but were urged by necessity to enlist in the gangs, or sometimes were compelled by force or fear to join them.¹ Aided by such recruits from the peasantry, the Dakoits acquired greater strength and confidence, and from 1800 to 1810 kept the country in perpetual alarm.² Extraordinary efforts became necessary for their suppression.

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¹ "In accounting for Decoity or robbery in a Zilla, our first step ought to be to examine the condition of the Ryots, and we shall always find in their poverty and oppression the chief cause of this evil."—Tytler, *Considerations on the State of India*, i. 374. "A gang of Decoits does not consist entirely of professed robbers: many of the party are poor honest industrious people who are seized for the service of the night."—Letter from E. Strachey, Judge of Rajshahi; Fifth Report, App. 588.

² In the language of Lord Minto, "a monstrous and disorganised state of society existed under the eye of the supreme British authorities, and almost at the very seat of that Government to which the country might justly look for safety and protection. The mischief could not wait for a slow remedy; the people were perishing almost in our sight; every week's delay was a doom of slaughter and torture against the defenceless inhabitants of very populous countries."—Minute, 24th Nov. 1810; *Parl. Papers*, 1st July, 1819, p. 23. His lordship's language, and that which was generally employed on this occasion by the members of the Government and by the judges, is liable to the charge of exaggeration. At this very time, when it was said by the judicial secretary that "there was no protection of person or property to the people of India," it was very possible for an individual unconnected with the judicial department to be scarcely aware that such a crime as gang-robbery existed. In dwelling upon the absolute amount of crime, its proportional ratio to the population is imperfectly adverted to. According to official returns, the total number of murders, including those committed by Dakoits, in the Lower provinces, was in the year 1813 two hundred and ten, the population being above thirty-seven millions.—Commons' Committee, 1832; *App. Judicial*, p. 506.

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The Dakoits, although in their aggregation and in their following acknowledged leaders or Sirdars they bore an analogy to the brigands of the south of Europe, or the banditti of the middle ages, yet resembled more nearly some of the illegal confederations which have been organised in modern days and more civilised communities in Europe, in their assembling by night only, and dispersing and following peaceable occupations during the day, most of them being engaged in the cultivation of the soil or following mechanical trades. Individuals among them were well known as Sirdars, by whom their expeditions were projected, and by whose orders the gang was assembled at an appointed spot, generally a grove near the village to be attacked. The members of the gang, who were secretly known to the Sirdars, and sometimes to each other, repaired to the place variously armed, chiefly with swords, clubs, and pikes, and some with matchlocks. Their numbers varied from ten or fifteen to fifty or sixty. When collected, their marauding excursion was usually preluded by a religious ceremony, the worship of the goddess Durgá, the patroness of thieves, typified by a water-pot or a few blades of grass. The ceremony was conducted by a Brahman of degraded condition and dissolute life. Having propitiated the goddess by the promise of a portion of their spoil, they marched with lighted torches, and little attempt at concealment beyond disguising their faces by pigment, or covering them with masks, to the object of their expedition, usually the dwelling of some shop-keeper or money-changer, in which it was expected to discover treasure. Occasionally the

motive of the attack was vengeance; and information given by the householder, or some of his family, against any of the members of the gang, brought upon him the resentment of the whole fraternity.¹ Upon entering the village, it was customary to fire a gun, as a signal to the inhabitants to keep within their dwellings: the house against which the operation was designed was then surrounded; and, whilst some of the gang forced an entrance, others remained as a guard without. Unless exasperated by resistance, or instigated by revenge, the Dakoits did not commonly proceed to murder; but they perpetrated atrocious cruelties upon such persons as refused to give them, or were unable to give them, information regarding property which they suspected of having been concealed, burning them with lighted torches or blazing straw, or wrapping cloth or flax steeped in oil round their limbs and setting it on fire, or inflicting various tortures, which caused immediate or speedy death.² The object being accomplished, and the booty secured, the gang retired before daylight, and the in-

¹ Mr. Secretary Dowdeswell's Report, Sept. 1809. Of the three cases of which he gives the trials in abstract, one of which has been cited by Mr. Mill, v. 553, two originated in revenge.—Fifth Report, App. 604.

² In one hundred and four houses attacked by Dakoits in the course of thirteen months, eight persons were wounded, three were tortured, and five killed.—Dowdeswell's Report, *ibid.* 606. In 1813, the whole number of Dakoits under the Bengal Presidency was six hundred and ninety; in which seventy-one persons were killed, two hundred and forty-six tortured and wounded. The returns show characteristic differences between the Lower and Upper provinces:

	<i>Dakoits.</i>	<i>Murdered.</i>	<i>Tortured and Wounded.</i>
Lower provinces . .	505	31	149
Upper provinces . .	185	40	97

In the latter more were murdered and fewer wounded in little more than one third of the robberies; proofs of more fierceness but less cruelty.—Commons' Committee, 1832; App. p. 506.

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dividuals resumed their daily occupations. Such was the terror inspired by their atrocities, and such the dread of their revenge, that few of their neighbours ventured to inform or give evidence against them, although well aware of their real character and proceedings. The police, intimidated or corrupt, rarely interfered until the robbery was completed and the perpetrators had disappeared; and their interposition was far from welcome to the people, as their unprofitable and vexatious inquiries had frequently no other purpose in view than the extortion of money as the price of forbearing to drag the villagers, unwilling witnesses, before the European magistrate, or even of falsely accusing them of being accessory to the crime.¹

The Zilla judge, who according to the existing system administered, as has been mentioned, both the criminal as well as the civil law, and was charged also with the duty of police magistrate, necessarily resided in the capital town of his jurisdiction, which might be a hundred miles remote from the scene of a robbery. Fully occupied with his other duties, it was impossible for him to pay frequent visits to places at any considerable distance from his station; and not only was local investigation therefore impracticable, but it was impossible for him to exercise a vigilant personal supervision over the officers of the police. The police jurisdictions were originally intended to include tracts of about twenty miles square; but they were of greater or less extent, according to circumstances, and usually embraced a numerous popu-

¹ Dowdeswell's Report, and Letters of the Judges preceding.

lation. Each of these was under a head officer or Daroga, who had at his disposal from twenty to fifty armed men, a very inadequate force in many cases to maintain order amongst the inhabitants of the district. To render them still more ineffective, the pay of the whole, the Daroga included, was barely sufficient for their support, and they were almost of necessity corrupt. Little or no assistance was to be expected from the people. Their ancient institutions had been broken up either directly or indirectly by the regulations of the Government. The Zemindars had been formerly charged with the management of the police, and were held accountable for all acts of robbery or violence committed within their Zemindaris. They abused their power and neglected their duty in some cases; and they were relieved of the one, and deprived of the other, in a summary manner,¹ and they were little inclined to interest themselves in a troublesome and thankless office. The instruments employed under them had been of two classes: one, under the term Paiks and Chokidars, attached to them and their agents personally; the other, known as Pasbans, Nigahbans, or Hâris, connected with the villages: the former were the police of the whole district, the latter the watchmen of their respective hamlets. Both were paid chiefly by allotments of land rent-free, or held at a low quit-rent under the Zemindar.²

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¹ By Reg. xxii. of 1793: on the grounds that the clause in their engagements which had formerly invested them with the authority had not only been found nugatory, but in numerous instances proved the means of multiplying robberies and other disorders, from the collusion which subsisted between the perpetrators of them and the police-officers entertained by the Zemindars and farmers of the land.

² Their numbers may be estimated from those of one district. In Burd-

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When he ceased or was forbidden to have any concern with the police, he had no inducement to keep up a police establishment; and, when it was intimated that the allowances formerly made to him for the expense were withdrawn, he either levied the same rent upon the allotments of the watchmen and Paiks as on any other of his Ryots, or he resumed the land. The Paiks were generally dismissed: the village watchmen lingered, but in a state of poverty and inefficiency which rendered them worse than useless. It was of little avail, therefore, to place them by law under the authority of the new Darogas, and to enact that they should be kept up and duly registered: the enactments were disregarded, and the native police establishments ceased to exist, or were in no condition to give effectual aid in preserving the public peace. They were much more likely to be in concert with its disturbers.¹

The evil consequences of having so completely excluded native co-operation had long been urged upon the consideration of the Government by many of its ablest officers, and one of its first remedial measures was to reinvest the Zemindars with a portion of their former authority. Regulations were accordingly enacted, by which respectable inhabitants of

wan, in 1788, there were two thousand four hundred Pashans or village constables, and nineteen thousand Paiks.—Judicial Letter from the Court of Directors, Nov. 1814; Parl. Papers, 1 July, 1819, p. 48.

¹ Reg. i. 1793 reserved the option of resuming the whole or part of such allowances as had been made to the Zemindars for keeping up police thanas, or the produce of any lands which they might have been permitted to appropriate for the same purpose. "Extensive resumptions were made under this clause; resumptions were also made by the Zemindars; and the effect of both was to reduce the native police to a state of want, which drove them to a life of robbery and plunder for a subsistence."—Letter from the Court; Parl. Papers, 1819, p. 50.

the several provinces were commissioned to act as Amins or superintendents of police: they were authorised to receive written charges of all offences of a heinous nature, issue warrants for the apprehension of offenders, and send the persons so apprehended to the police Darogas; to apprehend, or cause to be apprehended, without warrant, persons engaged in the actual commission of a heinous crime or flagrant breach of the peace, and have them conveyed to the nearest police thanna; they were enjoined to assist the Darogas on all occasions; to send them information, and see that the village watchmen did their duty; to obey the magistrate's orders in instituting any inquiry, and to furnish him with a monthly report of the persons whom they had apprehended; and they were declared liable to prosecution in the criminal court for any act of corruption, extortion, or oppression done by themselves or any person acting under their authority.¹

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In these regulations for enlisting persons of credit and influence in the preservation of the public peace, there were several radical defects which ensured their failure. These police Amins were not only to give their services without pay, but, "considering the description of persons from whom they were to be selected, it was not expected that they would require any distinct establishment of public officers at the charge of Government to enable them to perform the duties required of them." They were, in fact, to pay a police as well as perform its functions. It is not surprising that few should have been willing to accept the office. Even had

¹ Bengal Regs. xii. and xiv. 1807.

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 CHAP. VII. not to be expected that many persons of respectability would have been ambitious of a post which
 1813. made them subordinate to the police Darogas. The regulations were rescinded in a few years;¹ and the penalties of fine and imprisonment were then imposed upon the Zemindars, and all holders of land, if they failed to give early and punctual information of the commission of any public offences, or the resort of robbers in any place within their estates; and if they afforded to such offenders food, or shelter, or concealment, they were liable to forfeit their lands to the Government.² Similar penalties had been previously denounced; but to so little purpose, that it was doubted if a single instance was known of their having been enforced.³ With respect to the inferior agents, Paiks, Chokidars, and the like, they were made liable to corporal punishment by the magistrate if proved guilty of misconduct or neglect:⁴ no provisions were enacted at this time for replacing them in the occupancy of their lands, to obviate the necessity which made them, according to Mr. Dowdeswell, alternately watchmen and robbers.

Actuated by that spirit of exclusive reliance upon European agency which had been engendered by the institutions of Marquis Cornwallis, the Government of Bengal strengthened the department of the police by the appointment of two superintendents of police, one for the Lower and one for the Western provinces.

¹ Bengal Reg. v. 1810.

² Bengal Regs. ix. 1808; iii. 1812.

³ Dowdeswell's Report; Fifth Report, App. 614.

⁴ Reg. iii. 1812.

These officers, acting in concert with the magistrates, or, as occasion required, independently of them, were not restricted to any particular station or defined district, and were enabled to exercise a more immediate supervision over the Darogas and police establishments, and to apprehend and punish offenders in a more prompt and vigorous manner.¹ The arrangement was beneficial. But, besides these officers, magistrates were appointed with special powers to suppress the crime of gang-robbery in the districts adjacent to Calcutta, which were its principal seats. Selected for their personal intelligence and activity, and for their knowledge of the languages and customs of the people, at liberty to devote their whole energies to their particular duties, and armed with large discretionary powers, they speedily arrested the mischief; but in their zeal they had recourse to unjustifiable rigour, and were almost as severe a scourge to the country as the Dakoits themselves. The inhabitants of the villages were indiscriminately apprehended upon insufficient evidence: many of them were acquitted upon trial after having been long detained in prison: some died in confinement.²

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¹ Regs. x. 1808; viii. 1810.

² At Muddenpore, some treasure having been plundered by Dakoits, one hundred and ninety-two persons were apprehended upon the charge of an informer: one hundred and forty-two were released upon examination, forty-six were committed, six were pardoned upon a pretended confession; for it turned out on the trial of those committed, who were detained in prison above a year, that the whole were innocent, the charge having been a fabrication. Three of the prisoners died in jail.—Sir H. Strachey; Answers to Queries; Judicial Records, ii. 70. At Nadiya, two thousand and seventy-one persons were apprehended as Dakoits from the 20th of May, 1808, to the 31st of May, 1809; of whom no less than one thousand eight hundred and twenty-eight had been taken up as men of bad character and on vague suspicion, forty-four only had been convicted before the Court of Circuit during two sessions, three hundred and sixty-nine had been released by the magistrate, two hundred and sixty-eight acquitted by

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1813. concerned in the actual offence, yet they were cognisant of its perpetration, and neither took any steps to prevent it, nor to bring the perpetrators to justice; that violent diseases required strong remedies; and that it was better that a few innocent persons should suffer than the whole community live in alarm and danger. Equally exceptionable was the subordinate agency by which the objects of the magistrates were in most instances obtained—the employment of hired spies or Goyendas: it was admitted that the system was liable to abuse; that the Goyendas were unprincipled miscreants, who made their power the means of extortion, and who hesitated not to sacrifice innocent individuals to their cupidity or their revenge. But it was maintained that their instrumentality was absolutely necessary; that no efficient police could be established in any country except upon the basis of espionage; that without the aid of hired informers the most notorious leaders of the Dakoits would not have been apprehended at all; and that the improvement manifested in the districts round Calcutta was proportionate to the skill with which this

the court. Of those who remained in jail after the first sessions of 1809, the greater part had not been brought up for trial at the two sessions which followed, but still remained in confinement. On the 31st of May, 1809, there were no less than one thousand four hundred and seventy-seven prisoners in the Nadiya jail who had not been examined. Besides the two thousand and seventy-one prisoners above specified, a considerable number of persons had been apprehended as Dakoits during the same period by Messrs. Blacquiere and Leyden, the magistrates of the twenty-four Pergunnas and joint magistrates of Nadiya, and by their Goyendas, who, instead of being examined and tried, were sent down to the Presidency and there kept in confinement.—Judicial Letter from the Court, 1st Oct. 1814; Parl. Papers, June, 1819, p. 25.

powerful engine had been wielded.¹ These were the sentiments of many of the most confidential advisers of the Government, and they predominated in its counsels. Notwithstanding this view of the case, and admitting the efficacy of the Goyenda system in the districts which were most disorganised, and in hands better adapted to a harsh than delicate handling of a public nuisance, it was shown by contemporary experience that such extreme and mischievous methods were not indispensable, and that the evil was susceptible of alleviation by a milder treatment. In one district at least, that of Burdwan, gang-robbery, once as prevalent there as in other places, was nearly extinguished in the course of a twelvemonth by very different measures. The instruments employed were the neglected and undervalued institutions of the country animated by skilful superintendence and encouragement: the landholders and head-men of the villages and of various trades were called upon to enter into engagements for the performance of those duties, which it was personally explained to them they were expected to fulfil; and the village watchmen were punished for neglect or connivance, and rewarded for courage and good conduct. Attempts to deprive them of their service-lands were sedulously resisted, and the villagers were encouraged to give them more liberal subsistence. In this instance it was unequivocally shown that the co-operation of the people was to be had, and that when had it was efficacious.²

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¹ Dowdeswell's Report, p. 615.

² In the year 1810, Mr. Butterworth Bayley was appointed to the office

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Notwithstanding this evidence of the feasibility of a different system, no attempt was made to act upon it on a more extensive scale; and the only enactments of the Government, in addition to those already adverted to, placed the rewards which had been given for the apprehension of Dakoits upon safer principles. The amount payable upon conviction was augmented: it was made payable wholly, or in part, where conviction could not be established, if circumstances justified the apprehension of the prisoner; and it was to be withheld, even where conviction ensued, if it appeared that improper means had been pursued by the informer. Rewards for meritorious exertions, and remuneration for expense incurred in cases not specified, connected with the discovery and apprehension of offenders, were also authorised. The combined operation of the measures of the Government was not without effect:

of magistrate of Burdwan. In Feb. 1811, the Circuit judge reports that "gang-robbery, formerly so prevalent, had become nearly extinct; and a regular system had been introduced which promised fair to secure the co-operation of the community in the detection and apprehension of offenders." The causes of improvement are thus detailed by Mr. Bayley; "The uniform punishment and dismissal from office of the village watchmen wherever there was any appearance of neglect or connivance on their part in robberies, and the rewards which were constantly given to them for any proof of bravery, activity, or good conduct in opposing or apprehending Dakoits; the exertions made by him for obtaining a more adequate subsistence for the village watchmen, by carefully preventing all attempts on the part of the Talookdars to resume any part of the Chakeran lands, and by encouraging the head villagers to subscribe a more liberal remuneration for the support of their Chokidars than had before been customary." The Mandals, who were the principal fixed residents, and were vested by long usage with considerable local authority and immunities, and the Chokidars under them, were the chief classes upon whom Mr. Bayley relied for information and aid in the improvement of the police. He however took Moochulkas not only from them, but also from the landholders, gomashas, venders of spirituous liquor, pawnbrokers, gold and silversmiths, &c., explaining to them personally the duties they were enjoined to perform, and the practices from which they were expected to refrain.—Letter of Court, 9th Nov. 1814; *Parl. Papers*, June, 1819, p. 53. In this letter the Court take a general review of the past and actual state of the police in Bengal.

the crime of gang-robbery, although not wholly eradicated, was materially checked, and during the latter part of Lord Minto's administration it became much less frequent, and was less marked by cruelty and bloodshed.

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Shortly prior to the appointment of Lord Minto, a controversy had commenced between the authorities in England and in India respecting the course to be pursued with respect to the final settlement of the revenue from the land in those parts of the British territory where a settlement was yet to be effected, comprising the Ceded and Conquered provinces under the Presidency of Bengal, and the provinces in the south of India which had been annexed to the Madras Presidency by the humiliation and downfall of the Mohammedan Government of Mysore. Opinions at home had undergone a material change. Principles, which but a few years before had met with universal assent, were now called in question; and measures, which had received the sanction and commendation of the Court of Directors, the Board of Controul, and of successive administrations, and which had been eulogised by high authorities as the results of consummate wisdom and enlightened disinterestedness,¹ were now stig-

¹ "The distinguished character of Lord Cornwallis, and the authority which the permanent settlement derived from the approbation of Mr. Pitt, of Mr. now Lord Grenville, and the late Lord Melville, justly clothed it with an awful veneration, which for many years precluded the agitation of any question as to its merits."—*Commons' Committee*, App. p. 67; *Observations on the Revenue System of India*, by the Right Hon. John Sullivan. In the *Parliamentary Debates*, House of Lords, 9th April, 1813, Lord Wellesley observed, "Every Governor of India had acknowledged the justice and policy of the principle of the permanent settlement, and he was satisfied that every person qualified to be a Governor of India must do the same. It formed the corner-stone of the Government of India, and the extension of the principle to the Conquered provinces would found a solid basis

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1813. matised as improvident and precipitate, as originating in defective knowledge and erroneous analogies, and as equally detrimental to the prosperity of the state and the happiness of the people. The leading members of the Bengal and Madras Governments, trained in the school of Lord Cornwallis, and, with the exception of the Governor-General himself, the instruments and coadjutors of that nobleman in framing the perpetual settlement of Bengal, and in extending its provisions to Madras, tenaciously adhered to the principles of that settlement, and strenuously urged its universal adoption. The principal authorities of England, on the contrary, influenced by the proceedings and sentiments of some distinguished revenue officers of the Presidency of Madras, first suspended, and finally prohibited, the conclusion of an assessment in perpetuity in those provinces to which it had not been extended.¹ To render this change of purpose intel-

for that Government to rest upon." On the same occasion Lord Grenville urged the insertion of a clause in any charter to be granted to the Company declaratory of the adherence of the Indian Government to the principle of permanency.

¹ The Select Committee of the House of Commons, in their celebrated Fifth Report, printed July, 1812, first publicly called the principle in question, employing what Marquis Wellesley termed ambiguous words, tending, according to Lord Grenville, if not to discredit the original measure, at least to discountenance its proposed extension. This Report is known to have been the composition of Mr. Cumming, at that time superintendent of the revenue and judicial department in the office of the Board of Controul, who was an implicit believer in the excellence of the Ryotwar settlement as advocated by Sir Thomas Munro.—Commons' Committee, 1832, App.; Revenue remarks by Mr. Sullivan. We have also the testimony of Mr. Courtenay, between fifteen and sixteen years secretary to the Board of Controul, that the opposition to the permanent Zemindari settlement originated in the Board, not in the Court: "I may here mention, that the system known by the name of Sir T. Munro's system was the work of the Board, and in many parts of it was opposed by the Court. The same observation applies to many matters concerning the revival or maintenance of ancient native institutions, and the employment of natives in public functions." And again:

ligible, it will be necessary to take a brief survey of the condition of the agricultural population of India, and the principles upon which the realisation of the revenue derived from land was founded, previously to the establishment of the British Government, as well as of the proceedings of the British Government subsequently to those which have been already described in connexion with the permanent settlements made by Lord Cornwallis.

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Land is the main source of the revenue of the British Government of India. That Government follows in this respect the principles and practice of its predecessors, both Mohammedan and Hindu; and, while it avails itself of a convenient and profitable means of making provision for the public charges, it consults the advantage, and conforms to the notions and feelings, of the people.¹

“When I said that Sir T. Munro’s system was the work of the Board, I meant that it was taken up and countenanced by the Board rather than by the Court.”—Commons’ Com. 1832, App.; Public answers, 292. 1585.

¹ “In India the land has always furnished the chief revenue of the state, and taxes are immediately imposed upon it.”—Minute of Lord Teignmouth, Fifth Report, App. 205. “By the ancient law of the country the ruling power is entitled to a certain proportion of the produce of every beega of land, demandable in money or kind, according to local custom, unless it transfers its right thereto for a time, or in perpetuity.”—Preamble to Reg. xix. 1793. “Any change from established custom in India gives rise to a great deal of dissatisfaction. The land-rent is what the people readily pay; and, although it may appear exorbitant, it is a revenue that is paid without much difficulty. A tax in any other shape, however small, is comparatively disliked.”—Christian, Evidence, Lords’ Committee, 1830; Question 848. “Nine-tenths probably of the revenue of the Government of India is derived from the rent of land, never appropriated to individuals, and always considered to be the property of Government: and to me that appears to be one of the most fortunate circumstances that can occur in any country; because, in consequence of this, the wants of the state are supplied really and truly without taxation. As far as this source goes, the people of the country remain untaxed.”—Mill, Evid., Select Committee of House of Commons, 1831; Question 3134. The proportion was overrated, as was subsequently remarked by the Committee; it was about six-tenths: nor, as there will be occasion to remark, was it quite correct to say that the rent of land was never appropriated to individuals.

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But, this fact being stated, there occur sundry questions, which, although repeatedly and laboriously investigated, have not yet been answered in such a manner as to secure universal acceptance. They may be briefly resolved into the following: 1. In what character did the native Governments claim a revenue from the land? 2. What were the nature and extent of their demands? 3. By what class or classes of the people were those demands discharged? 4. Upon what principles were the demands of the British Government regulated? We shall endeavour to elicit a reply to these queries from the mass of conflicting statements by which the subject has been obscured; but, as the space which can be devoted to the inquiry is unavoidably disproportionate to the quantity of unmethodised materials which have been accumulated with a view to its elucidation, it will be necessary to select for description only a few of the most important points, omitting many of less moment, though of scarcely inferior interest.¹

I. The demand made by the Sovereign has been commonly referred to his character of proprietor of the soil. It has been maintained that it is by his

¹ The principal authorities consulted for the following passages in the text are, The Fifth Report of the Select Committee of 1810, printed 1812, 1 vol. folio; Selections from the Revenue and Judicial Records at the India House, printed by order of the Court of Directors, 1820-1826, 4 vols. folio; Reports of the Select Committees of both Houses of Parliament in 1830, 1831, and 1832, with evidence and appendices, reprinted by order of the Court of Directors, 16 vols. 4to; Colonel Wilks's History of the South of India; Sir J. Malcolm's Central India; Mr. Elphinstone's History of India; Rouse on the Land Tenures of India; General Briggs on the Land-tax of India; General Galloway on the Law and Constitution of India; Mr. Tucker on the Financial Situation of the East India Company; Colonel Sykes on the Land Tenures of the Dekhin; Mr. Thomason on the Revenue Settlement of Azimghur; and a variety of tracts and papers.

permission only, and with his sanction, that the land is occupied, and that the occupant sows his seed and reaps his crops; that whatever produce is in excess of the bare subsistence of the cultivator and cost of cultivation, is the property of the king; that it is rent, not revenue, to which he is entitled, for he is the one universal landlord; that this is the character in which the sovereign appears in the laws and institutions of the Hindus, in the laws of the Mohammedan conquerors of India, and in the practice of all modern native governments, and in which he is recognised universally by the people.¹

Notwithstanding the positiveness with which it has been affirmed that the proprietary right of the sovereign is indissolubly connected with the ancient laws and institutions of the Hindus, the accuracy of the assertion may be reasonably disputed. In adducing the authority of Hindu writers in favour of the doctrine, two sources of fallacy are discernible. No discrimination has been exercised in distinguishing ancient from modern authorities; and isolated passages have been quoted, without regard to others by which they have been qualified or ex-

¹ See Mill, History of India, i. 305, and notes; also Grant's Reports on the Northern Circars and the Revenues of Bengal; and the Minute of Lord Cornwallis, Fifth Report, App. 473. Colonel Munro says, "Nothing can be plainer than that private landed property has never existed in India except on the Malabar coast."—Revenue Sel. i. 94. And the Board of Revenue observe, "We concur with Colonel Munro in thinking that Government is virtually the proprietor of the soil."—Ibid. 486. Such also is Mr. Fortescue's opinion with respect to the Western provinces; and at a long subsequent date, "As to the proprietorship, my belief is, that the Government is the proprietor of the land, and that the person occupying it is well satisfied with the occupation, paying the rent."—Lords' Committee, 1830, Evid., Question 511. And on the opposite side of India Colonel Barnewall asserts that the people in Guzerat claim no property in the soil. Government is vested with the property in the lands; and, as landlord, entitled to the rent, or a share of the produce equal to it.—Commons' Committee, 1832, Evid. 1755.

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1813. plained.¹ If due attention had been paid to these considerations, it would have been found that the supposed proprietary right of the sovereign is not warranted by ancient writers; and that, while those of later date seem to incline to its admission, they do not acknowledge an exclusive right, but one concurrent with the right of the occupant; they acknowledge a property in the soil, not the property of the soil. In the older jurists we find, indeed, the right of kingly power over the whole earth asserted; and the right is based, with every semblance of historical truth, upon conquest: but there is no attribution of ownership to the king, nor is there any trace of a royal property or estate.² Proprietary

¹ As observed by Mr. Mill, i. 307 and note, the Digest of Hindu law compiled by the desire of Sir William Jones, and translated by Mr. Colebrooke, favours the proprietary right of the sovereign, particularly in stating, that, if no special engagement for a term of occupancy has been made, the occupant may at any time be dispossessed by the Raja in favour of a person offering a higher revenue.—i. 461. Colonel Wilks accuses the Pundits, who compiled the Digest, of falsifying the law; but the charge is undeserved. The original passages of the Digest are not the law, they are the opinions of the compiler as to the meaning of the law; and it is open to any one to contest or admit the interpretation according to the purport of the ancient texts, which are also given. It is also necessary to collate this passage with what follows; it will then be found that Tarka-Panchánana, the compiler, does not deny proprietary right in the subject, he only infers the co-existence of concurrent rights: "There is property," he says, "of a hundred various kinds in land;" and, when treating of sale without ownership, he observes, "The property is his who uses the land where he resides, and while he uses it; and thus, when land belonging to any person is sold by the king, it is sale without ownership."—i. 475. The sale is illegal.

² The texts of Menu, which have been cited in proof of the proprietary right of the Raja, have been misunderstood. In B. viii. v. 39, the phrase rendered by Sir W. Jones "lord paramount of the soil," is Bhumer-adhipati, supreme ruler of the earth: the title Adhipati, "over-lord," no more implies ownership in this text than when it is used to denote the head-man of a village, Grámádhpati; or governor of a district, Désádhpati. In another text, in which the authority of a king is intimated to be analogous to that of a husband over a wife, the sources of property in subjects are also enunciated: "Ancient sages have called this earth (Prithivi) the wife of Prithu; they have called the field his who has cut down the thicket; the wild beast his whose shaft has slain it."—B. ix. v. 44. The subjection

right is vested in the individual who first clears and cultivates the land: it is therefore referred to colonisation; a source which, as regards India and the Hindus, is probably in a great degree historical. The king may occupy unclaimed or uncultivated lands, as well as a subject; he has no preference: if he appropriates them, he must give away half to the Brahmans; if they are appropriated by a subject, the king claims only the share of the produce assigned to him by law. Concurrent and not incompatible rights and claims are thus clearly recognised; and the king's dues are based, not upon any indefeasible right of property, but in the first instance upon conquest, and in the second upon protection.

The notion of the proprietary right of the sovereign is rather of Mohammedan than Hindu origin. The doctrines of the Mohammedan jurists are somewhat at variance on this matter. Those who belong

of the earth by Prithu is clearly an allegory of its conquest by the military caste; see Vishnu Purana, p. 103. The compiler of the Digest expressly states that the king's proprietary right is "denied by some, because Menu has only declared that subjects shall be protected by the king."—i. 471. Menu then, even according to the Pundits, is not authority for this doctrine. Another ancient lawgiver, Yajñawalkya, is quoted in the Digest to show that the king has no particular property even in unclaimed or uncultivated ground; if a subject choose, he may occupy it without leave, giving the Raja his due.—i. 461. Another writer of antiquity, Jaimini, the author of the Mimamsa, also denies the king's ownership: "The kingly power is for the government of the realm and the extirpation of wrong, and for that purpose he receives taxes from husbandmen and levies fines from offenders; but the right of property is not thereby vested in him, else he would have property in house and land appertaining to the subjects abiding in his dominions. The earth is not the king's, but is common to all beings enjoying the fruit of their own labour."—Colebrooke on the *Mimāṃsā* Philosophy, Trans. Royal Asiatic Society, i. 458. Mr. Elphinstone justly concludes, from the Hindu laws on this subject, that as the king's share was limited to one-sixth, or at most to one-fourth, there must have been a proprietor for the other five-sixths, or three-fourths, who must obviously have had the greatest interest of the two in the whole property shared.—History of India, i. 42.

BOOK I. to the school which has been chiefly followed in
 CHAP. VII. India, maintain the right of individual ownership:

1813. yet they do so with considerable reservation, for they restrict the appropriation of all uncultivated land to the king; assign to him the property of all except arable land; authorise him to dispossess any occupant who neglects to cultivate his land, and transfer it to another;¹ and entitle him to claim the whole of the net produce of cultivation. Other Mohammedan lawyers assert unequivocally, that in all conquered countries, and India is in their estimation a conquered country, although the inhabitants may be suffered to retain the occupancy of their lands, the property of them is vested in the sovereign.² It is apparently to these doctrines, to the long continuance of Mohammedan domination over a large portion of India, and to the influence which it indirectly exercised over the states that remained subject to Hindu princes, that the notion of the proprietary right of the sovereign owed its general and popular acceptance.

For upon whatever system of law that impression

¹ The Hindu law, as it appears in Menu, does not go this length: it provides only, that, in case of neglect to cultivate, the owner shall be fined ten times the amount of the king's share, if his own fault; five times, if that of his servants.—B. viii. v. 243. There is not a word of confiscation or transfer.

² Galloway on the Law and Constitution of India, p. 101. According to this writer, a high authority in matters of Mohammedan law, the school of Abu Hanifa was that which was chiefly followed in Hindustan; and this jurist affirms that in conquered countries the people paying the legal impost preserved their proprietary rights. General Galloway also states that this is denied by the Shafia and Malikia schools; according to which the lands, although retained by the people, become the property of the sovereign.—Ibid. 45. It is worth observing, that all the authorities cited by Mill, i. 308 note, with exception of Diodorus and Strabo, whose testimony is not entitled to very great deference, derive their opinions from their observation of the state of things under the Mohammedan governments.

was founded, and whether erroneous or just, there is little reason to doubt that in later times at least it has prevailed very widely amongst the people,¹ and regulated the practice of the native governments. This gives the question its importance. Abstractedly considered, it signifies but little whether the king be called the lord of the soil, or by any other title; but, when in this capacity he superseded all other rights, it became no longer a matter of mere speculation. Acting upon this principle, the native rulers required that a formal grant should legalise the occupation of all waste land, and sequestrated estates of which the cultivation was neglected or the revenues unpaid; fixed at their pleasure from time to time the proportion of the produce which the occupant was to pay, claiming indeed the whole of the net produce as the rent; and turned out actual occupants in favour of others offering a higher amount of payment. The almost universal practice of recent times transferred these rights and powers to contractors and farmers of the revenue, from whom the prince exacted as much as he could obtain, and then left them at liberty to extort all they could, and by whatever means they could, from the people. His right to do so was not questioned, but its

¹ The belief of Mr. Fortescue with regard to the opinions of the people of the Western provinces has been already cited, note, p. 413. The Abbé Dubois is a good representative of the popular notions prevailing in the Dekhin, and he says, "The lands which the Hindus cultivate are the domain of the prince, who is sole proprietor: he can resume them at pleasure, and give them to another to cultivate."—Description of the People of India, p. 496. The author has heard the same sentiment expressed repeatedly by well-informed Hindus from the Upper provinces. They have admitted the full right of the Government to dispossess any occupants whatever, although, if the customary demands were paid, such act would be considered harsh and oppressive. In Bengal the notion has probably been effaced by the Company's regulations: the Zemindars have been taught a different lesson.

BOOK I. exercise through such instrumentality was resisted
 CHAP. VII. where resistance was thought likely to succeed ; and

1813. the consequences of the system were such as might
 have been anticipated—the decline and disorganisation
 of the country.

The proprietary right of the sovereign derives then no warrant from the ancient laws or institutions of the Hindus, and is not recognised by modern Hindu lawyers as exclusive, or incompatible with individual ownership. It is the doctrine of one of the schools of Mohammedan law; it has influenced the practice of the later native governments, and it had obtained a very general belief among the people. The popular belief was however modified by the remembrance of original rights and the remains of primitive institutions; and while in theory the people admitted the right of the prince to the lands they tilled, yet in practice they very commonly regarded them as their own as long as they paid to the sovereign his undisputed share of the produce. Unhappily for them, this share was of late rarely regulated by any other standard than their ability to comply with the exactions of their rulers.

II. The ancient Hindu law enacts that the demand of the Raja shall be levied in kind. The king is to have a proportion of the grain; a twelfth, an eighth, or a sixth.¹ It is also declared, that in time of war, if he should take one-fourth, he would

¹ Menu, B. vii. v. 30. The commentator explains the several rates to depend upon the quality of the land, and the labour required to bring it into cultivation; the highest rate being levied on the best, the lowest on the worst sort of land: the assessment was therefore irrespective of the actual crops.

commit no sin.¹ A fourth of the actual crop constituted therefore the utmost limit of demand, and that only in time of war, under the ancient Hindu system; and this proportion evidently left such a share to the cultivator as was equivalent to a profit upon his cultivation, or to a rent, enabling him at his will to transfer the task of cultivation to tenant farmers, and placing him in the position of a landed proprietor as far as ownership of rent is evidence of such a tenure.² The Mohammedan law established a totally different proportion. It extended the claim of the Crown to the whole of the net produce; assigned to the cultivator only so much of the crop as would suffice for one year's subsistence of himself and his family, and for seed; and reduced him to the condition of a mere labourer on his own land. The whole of the profit or the rent went to the sovereign, who thus became the universal landlord.³ The more equitable spirit and sounder judg-

¹ It has been argued that this law would furnish a plea to the Raja to exact a fourth at all times, as a case of necessity could always be made out; but this is not possible consistently with a due regard to the language and obvious intention of the law. The passage should be thus rendered: "A Kshatriya, in time of calamity, protecting his subjects to the utmost of his power, is liberated from sin although taking a fourth part." The verse occurs in the section which treats of the conduct of the different castes in times of distress, and is detached from the passages concerning revenue. That the distress here indicated means time of war is clear enough from the passage that immediately follows: "for battle is his duty; he should never turn his face from fight: protecting the cultivators with his sword, let him levy taxes in a lawful manner."—v. 119.

² Such Mr. Mill considered it, and remarked, that there was no ownership of rent in India as in Europe.—Commons' Committee, 1831; 3288. The assertion was incorrect: there was ownership of rent as long as the native Governments suffered it to continue; and there still is such ownership under the British Government, where the assessment is light.

³ "When the Imam conquers a country, if he permits the inhabitants to remain on it, imposing the Kharāj on their lands and the Jezia on their heads, the land is their property." Not very valuable property it should seem, for "Imam Mohammed has said, regard shall be had to the culti-

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ment of Akbar limited the demand of the sovereign to one-third of the average produce of different sorts of land; the amount to be paid preferably in money, but not to be increased for a definite term of years.¹ Under more modern Governments, whether Hindu or Mohammedan, the demand seems to have fluctuated from a third or half of the gross produce, to the whole of the net produce, or even to have exceeded those proportions;² leaving to the cultivator in-

vator: there shall be left for every one who cultivates his land as much as he requires for his own support till the next crop be reaped, and for that of his family, and for seed. This much shall be left him; what remains is Kharāj, and shall go to the public treasury." This is the dictum of a great lawyer of the Hanifia school, Shams-ul-Aima of Sarakhs; and a firman of Aurangzeb directs his officers to levy the Kharāj according to the holy law and the tenets of Abu Hanifa.—Galloway, 40, 43. Here is evidently the origin of the sovereign's claim to the whole of the rent. The unhappy "infidel" cultivator had to pay a capitation tax besides.

¹ Ayin Akbari, i. 306, 314. The term was fixed, in the 24th year of the reign, for ten years; but the general assessment, or Jama-bandī, of Toral-Mal was apparently intended to last for an indefinite period.—Ibid. Appendix.

² In the south of India, Harihara Rai, of Bijnagar, one of the latest independent Hindu principalities, fixed the rate at one-fourth of the gross produce, fixing it on each field, and requiring a money-payment. The Mohammedan Governments exacted half the gross produce of the irrigated lands, and a money-rate equal to from thirty to forty per cent. of the value of the unirrigated and garden produce.—Revenue Selections, i. 395. According to the Parāsara Madhaviya, a work on law by the minister of Harihara, the king's share was one-sixth.—Wilks, i. 154. In the Western provinces the Government share was considered to be half the net produce.—Fortescue; Lords' Committee, Evidence, Question 531. Or even half the gross produce.—Ibid. 532. "But the rule authorizing the exchequer to take as revenue one-half of the produce in the hands of Government is in a great manner nominal; for in the unsettled districts we do not, I believe, on an average, get more than one-fourth."—Mackenzie; Commons' Committee, 1832, Evid., Question 2671. Mr. Mill also thinks it impossible that such a proportion should ever have been taken.—Commons' Committee, 1831, Question 3887. But he observes, correctly enough, with regard to the practice of later times, "According to all I can gather from the practice of former Governments, the Government demand was never less than the full rent, in many instances probably more; not unfrequently as much more as could be raised without diminishing the number of inhabitants and desolating the country."—Ibid., Question 3114. The state of many parts of India, when first reduced to British authority, showed that these checks had not always operated; and that the exactions of improvident and arbitrary princes, enforced through the agency of farmers of the

sufficient means of subsistence, and not unfrequently compelling him to abandon in despair the cultivation of the lands which his forefathers had tilled, and to which his strongest affections chained him, extortion being thus punished by dearth and depopulation.

III. According to the principles of the Mohamadan law, and the consequences to which they led, the classification of the parties interested in the produce of the soil was exceedingly simple. Two only were recognised, the Ryot or cultivating tenant, and the Raja, or rent-owning landlord;¹ the first earning a scanty support by his labour, the second claiming the whole of the surplus return on his property. Such were the conclusions of the first inquirers into the tenure of lands in India. There were found, indeed, persons intervening between the state and the cultivators, but these it was affirmed were in every case persons to whom the state had delegated its powers or transferred its rights: they were not—and this was in some important respects quite true—proprieters of the soil: there were no such persons,—at least, there were no persons who had a right to intercept, without a special grant to that effect, any portion of the rent or profit of cultivation. Further investigation showed that the

revenue, had thinned the population, and consigned extensive and fertile districts to the denizens of the forest.

¹ So General Galloway: "The truth is, that between the sovereign and the Reb-ul-arz, (master of the ground,) who is properly the cultivator, no one intervenes who is not a servant of the sovereign."—p. 42. "The land has been considered the property of the Circar and the Ryots; the interest in the soil has been divided between these two, but the Ryots have possessed little more interest than that of being hereditary tenants."—Thackeray, Fifth Report, App. 992.

BOOK 1. latter propositions were not altogether accurate : the
 CHAP. VII. structure of agricultural society in India was not so

1813. exceedingly simple ; a variety of proprietary rights and privileges had survived the disintegrating operations of foreign conquest, foreign laws, oppressive government, and popular misconception, and required to be carefully studied and correctly understood before it could be safe or just to come to any unalterable conclusion. Traces of individual proprietary rights, of personal ownership of rent, were extensively discoverable ; and, where they were faint or extinct, it was because the rapacity of the ruling power had dimmed or extinguished them.

A peculiarity in the disposition of landed property in India, which was early observable, was its distribution among communities rather than among individuals. The earliest records describe the agricultural population as collected into groupés, villages, or townships, having attached to the particular village or town in which they resided an extent of land the cultivateable portion of which was sufficient for their support, and which was apparently cultivated in common.¹ The internal administration of the affairs of the village was left, in a great measure, to the people themselves, under the general superintendence of an officer appointed by the

¹ Menu, vii. 120, and viii. 237. The Madras Revenue Board affirm the village system is as old as Menu : " That venerable legislator alludes to disputes about boundaries just as they occur at present, and directs a space of four hundred cubits wide, round small villages, and twelve hundred round large ones, to be left for pasture. This could not have been done if the land had been exclusive private property, for in that case the owner would have made the most of his land, and not left it waste for the public use of the inhabitants ; and boundaries of fields and farms, rather than of villages, would have been disputed."—Revenue Selections, i. 487.

Raja, by whom the police was regulated, the government revenue was collected, and justice was administered, in communication with the principal persons of the village. The general scheme of these village corporations has been repeatedly described.¹ Besides the officers of the government, and the individuals who composed the community strictly so called, the village comprised a varying number of persons who received small portions of the crops as the hire of services rendered to the whole, and persons also not members of the original establishment, but who were allowed to reside within the village as independent artificers and tradesmen, or even as cultivators of the lands bought or rented from the proprietors. Establishments of this nature were found in their greatest completeness in different parts of the south of India, where Hindu principalities had been longest preserved: but they were also met with in the western provinces of Hindustan, where their organisation had assumed something of a military character; and vestiges of them were not wholly obliterated even in Bengal.

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The circumstances which led originally to this distribution of the lands among detached communities are now beyond the reach of history. It may have been the result of a legislative provision, devised for the ready realisation of the revenue and

¹ See the description in the first volume of Mill, p. 313, from the Fifth Report; Elphinstone, History of India, i. 120, and App. 476; and Wilks, Southern India, i. 117. In a deed of gift by the minister of Bukka Raya, king of Vijayanagar, dated 1109, Saka (A.D. 1187), the following list of village officers is given:—1. Reddi, or Pedda Reddi, head-man. 2. Karnam, accountant. 3. Purohit, priest. 4. Blacksmith. 5. Carpenter. 6. Money-changer. 7. Kavel, village watcher or police officer. 8. Potmaker. 9.

BOOK I. convenient administration of the civil government;
 CHAP. VII. but there is no record of its institution or its au-

1813. thor. Tradition ascribes it to the spontaneous agreement of mankind in an early stage of society,¹ and it may have been suggested to the first Hindu settlers in India by the necessities of their situation. Whatever may have been its origin or antiquity, there is no reason to believe that the village communities now in existence can boast of any remote date or legislative creation. They represent with differing degrees of fidelity the primitive forms from which they are copied; but they have deviated in various respects from the original type, and are in many instances, probably in all, of comparatively recent date. They are most commonly the growth of modern colonisation or conquest, and the peculiar features which they present have been modelled by the occurrences from which they have sprung.

The political revolutions of later times, and probably of earlier days also, have occasioned frequent migrations of the people of India from one part of the country to another. Centuries have elapsed since the region was fully peopled; perhaps it never was wholly occupied: at any rate, abundance of waste land has for a long time past been available, and parties from the neighbouring or from distant tracts have located themselves upon unoccupied spots, with

Washerman. 10. Barber. 11. Barikudu, messenger or menial. 12. Chak-
 āri, shoemaker or worker in skins and leather. These are essentially the
 same as the Bara-ballowati of other authorities, though some of the names
 differ; and, in place of the leather-worker, some places have a water-car-
 rier.—Ellis on Mirasi right, App. p. 36. Traces of village institutions were
 found by General Briggs in Bengal; Land-tax, Supplement: although
 there, as in other places, the corporation, or association of persons con-
 stituting the proprietary and governing body, had disappeared.

¹ Vishnu Purana, p. 45.

or without the cognisance of the ruling power, not likely to throw obstacles in the way of those who purposed to convert an unproductive wilderness into a source of revenue.¹ The settlers would of course be either of the same family, the same caste, or the same tribe; and would be linked together through succeeding generations by community of origin, as well as of property. There is an active spirit of aggregation at work in Hindu society: the very institution of caste, which disjoins the people as a whole, combines them in their subdivisions; like the process of crystallisation, which destroys the uniformity of the mass by the condensation of the particles. But this is not the only source of reintegration; there prevail other combinations of tribe or avocation, some of which would be sure to influence the movements of a body of settlers on a new soil, and unite them into a village community or corporation. The necessity of combination, in order to protect themselves against the financial oppressions of the state, or against unauthorised plunderers and assailants, would further contribute to cement their union, and would give it consistency and duration.²

In like manner, where the occupation of the new country was an act of violence and aggression com-

¹ See the instructions of Aurangzeb to his collectors, as cited by General Galloway, 55.

² Instances of recent colonisation are specified by Mr. Thomason. "A family of Chandel Rajputs emigrated from the Jonpur district, and settled at Purgunna Natherpur, where they acquired much land." "The rise of some Ahir (shepherd) communities illustrates the formation of such bodies by sufferance. Familiar with the forest (in the Azimghur district), they fixed their residence in some favourable spot, and began to cultivate; and, when a settlement (of the revenue) came to be made, appeared to be the most convenient persons with whom to enter into engagements for the land."—Account of the Settlement of Azimghur, by J. Thomason, Esq.; Journal, Asiatic Society of Bengal, vol. viii. p. 96.

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mitted against their neighbours, or against the barbarous tribes inhabiting extensive tracts in different parts of India, identity of kindred, caste, or tribe, as well as of interest, would unite the first assailants, and would extend a bond of union to their successors. Such transactions are known to have occurred within very recent periods.¹ In some instances one village community has fallen upon another, and ousted it from its possessions: in others, a military adventurer has assembled his kinsmen and followers; and, having conquered an extensive tract, has parcelled it out amongst his chiefs, very much upon the plan of a military fief. Time, the fiscal measures of the Government, and the partition of inheritance among the descendants of the conquerors, have loosened the original compact; and the village, once held by an individual upon condition of military service to a chief, may have assumed the form of a village municipality, or it may still retain many features of its original feudal character.² In some places the original occupants have

¹ Mr. Thomason supposes the original conquest of Azimghur by Rajputs, some time prior to the twelfth century, to have been the general foundation of the existing proprietary right of the soil; and recently, "Achar and its dependent villages was held by a tribe of Kaut Rajputs. The Dhunwars, (another Rajput clan,) of the neighbouring estate of Khulsa, were more powerful: they attacked and massacred most of the Kauts. This took place only a few years before the cession. Some of the family fled into the neighbouring district of Ghazipur, then in British possession, and have since in vain attempted to recover their rights."—J. B. A. Society, viii. 96. During the course of the inquiry preceding the permanent settlement, it was found that the Pergunna of Mongir was divided among the descendants of two Rajputs, to whom the family tradition ascribed the first settlement of the country under grants from the Emperor Humayun, having taken it from the wild inhabitants of the wilderness, which it then was, without the smallest vestige of cultivation.—Letter from Mr. Davis, Assistant Collector on Deputation, 11th August, 1790; Fifth Report, 238.

² Such is the case with the greater part of the Zemindaris along the western frontier of Bengal, where, while the peasantry are mostly of the

been driven away or exterminated: in others they appear as serfs or slaves attached to the soil and accompanying its transfers, or being sold independently of the land.¹

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From these sources, — legislation, colonisation, and conquest,—and from the two latter especially in modern times, may be derived the origin of the village communities of India, or confederations of a definite number of individuals claiming a certain extent of land as their common property, and a right to all advantages and privileges inherent in such property, subject to the payment of a proportion of the produce to the state. When that proportion absorbed all the profits of cultivation, the members of the commune who claimed the ownership of the lands were reduced to the condition — which has

wild forest tribes, Koles, or Gonds, the proprietors of the villages are Rajputs. That these latter came as conquerors as late as the sixteenth and seventeenth centuries is well known amongst themselves, and the origin of their possessions by allotment from the chief on the tenure of military service is also admitted. The relation between the holders of the several lots, and the representatives of the first leader, or the Rajas, is more or less perfectly preserved, but it retains almost universally some impress of its origin. See the remarks on tenures in Sambhalpur, Mill, i. p. 309, note. A similar state of things prevails in the Pergunnas of Palamú, Sirguja, Chota Nagpur, and others in the same direction. An interesting account of the origin and progress of the feudal Zemindari of Palamú was printed, but not published, by the late Mr. Augustus Prinsep, of the Bengal Civil Service. Mr. Prinsep was disposed to find similar feudal institutions in many of the Zemindaris of Bengal and Behar.

¹ In Malabar and Canara, where the land was very generally divided and occupied as separate and distinct properties, the labourer was the personal slave of the proprietor, and was sold and mortgaged by him independently of the land. In the Tamil country, where land belonged more to communities than individuals, the labourer was understood to be the slave of the soil rather than of any particular person. In Telingana, where it was difficult to trace the remains of private property in the land, the labourers, usually of the degraded or outcast tribes, were free.—Minute, Board of Revenue, Madras, Jan. 1818; Revenue Sel. i. 887. Mr. Thomason, describing the agricultural labourers of Azimghur, speaks of them as having been, under former Governments, predial slaves, who were beaten without mercy for misconduct, and were liable to be pursued and brought back if they attempted to escape.—J. B. Asiatic Soc. viii. 115.

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1813. been ascribed, incorrectly it may be thought, to all the agricultural population of India—of persons cultivating the ground with their own hands and by their own means.¹ When the further exactions of the officers of the state, and the usurpations which in the absence of all government they perpetrated, reduced the proprietors to extreme distress and insignificance, the village corporations were broken up, and the traces of proprietary right so completely obliterated as to suggest a belief that it had never existed. Such seems to have been the state of the peasantry in Bengal and Telingana. In other places, in Canara, in the Dekhin, in Bundelkhand, and the Western provinces,² the right of property was better preserved. Where either the demands of the Government had been more moderate, or the villagers by union and courage, or combination and craft, had resisted or evaded extortion, they retained their character of proprietors, living upon the profits of their own lands.³ The state of the coun-

¹ Mill; Commons' Committee, 1831, Evid. 3114.

² Thus in Canara and Sonda, where the lands had, until a late date, been lightly assessed, the Government demand having been as low as one-tenth of the produce, and never more than a third, the lands were generally sublet, the proprietors sometimes cultivating a portion: none of them held any large estates; few averaging, in the best of times, a rent of more than fifty pagodas (or about twenty pounds) a-year. The respective rights of the Government to the land revenue, and of the proprietor to the land, were well known: an ancient grant to a temple specified the grant to be the Government share of the rent, because the land belonged to the proprietor, and could not therefore be given away by the state.—Fifth Report, 803; Life of Sir Thomas Munro, iii. 161.

³ The term village Zemindars has been generally applied to these proprietors in Hindustan.—Fortescue; Thomason, &c. Janamkars, or birthright holders, is their name in Malabar.—Board of Revenue, Madras. Amongst the Mahrattas they were called Thalkaris, holders of the Thal, (Sthal, or land,) or Watan-dars (holders of the country); Coates on the Township of Lony; Trans. Literary Society of Bombay, iii. 226: and in the Tamil countries of the Peninsula, Mirásis, or Mirásdars (inheritors). Of the latter

try, the habits of the people, and the subdivision of property by the laws of inheritance, prevented the aggregation of large estates, or the formation of a landed aristocracy; and the agricultural proprietors were therefore little else than petty farmers, employing, superintending, and not unfrequently assisting the labourers: but they were in a position to preserve their hereditary rights, and to perpetuate the organisation of the village communities. Much variety, however, prevailed in that organisation, not only in proportion to the degree of entireness in which it had been preserved, but from circumstances

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Mr. Ellis observes, "Miras, originally signifying inheritance, is employed to designate a variety of rights differing in nature or degree, but all more or less connected with the proprietary possession or usufruct of the soil or of its produce."—Ellis on Mirasi right; Selections, 810. The Selections have injudiciously omitted the Appendices of this valuable document, full of important historical illustration, which no one but Mr. Ellis was competent, from a profound knowledge of the languages and literature of the South of India, and from enlightened experience, to furnish. In the Appendix, which with the text was printed at Madras in 1818, we find the following concluding view of Mirasi tenure. "The Cani-sudantram, or proper Mirasi right, though founded on the principles of the general law, implies peculiar privileges and an independent enjoyment of landed property by the actual cultivator, unknown in other parts of India, and confined, in fact, to those provinces of the South which formerly constituted the dominions of the ancient Tamil princes: this mode of holding landed property, and several of the incidents appertaining to it, are not in resemblance only, but in fact, the same as those which prevailed among our ancestors previously to the introduction of feudal tenures into Europe, and which is usually designated by the term *allodium*, with which the word *Canyatchi* (entire and absolute possession) in derivative meaning intimately corresponds. One of the most remarkable incidents in Mirasi is, the periodical interchange of lands, which, in Tonda-mandalam at least, was anciently universal; the holding of them in severalty being a modern practice. Now this was also a practice common to the nations among whom the allodial possession of land primarily obtained, and from whom it passed to their Frankish and Saxon descendants; as Tacitus observes, 'The fields are occupied, in proportion to the number of cultivators, in turns by all, and are then divided among them according to the rank of each: the extent of the plains facilitates this partition. The cultivated fields are interchanged every year, and yet land remains.'—*De Mor. Germanorum*, c. 26. Were I to endeavour to describe the mode of periodical repartition practised in every Arudicadei village in Southern India, I could not convey my meaning in more appropriate or precise terms."—p. 85.

BOOK I. connected with its history which were no longer to
CHAP. VII. be verified. A village or villages had sometimes a

1813. single proprietor, more commonly a greater number; but these were associated under a variety of conditions. Sometimes they held in common, sometimes in severalty; and the rights which they claimed were of various descriptions. They were mostly reducible to two chief classes, the rights of property and the rights of privilege: they were both hereditary, but the latter only were indefeasible, and subsisted where the former had been lost. In their capacity of joint proprietors of village land the members of the association generally inherited rather a definite proportion of the whole than any specific spot of ground. Sometimes the same family cultivated the same fields for successive generations; but it was more usual to arrange amongst themselves for fresh allotments from time to time, and to distribute different parcels of land in distant parts of the village estate to the same individual, according to the qualities of the soil, and in conformity to regulations sanctified by prescription. In their character of parties responsible to the Government for a portion of its demands they sometimes paid it individually, in proportion to their shares; but it was more usual to make the apportionment amongst themselves, and pay the whole collectively through their head-man or head-men. The shares, or the land where the land was cultivated separately, might be mortgaged, or let, or sold; but the act ordinarily required the concurrence of the other members of the community, in whom also the right of pre-emption was vested. The alienation of the land to a stranger

did not carry with it of necessity his admission to the municipality, or give him any voice in the management of the affairs of the village; neither did it divest the person to whom the share or land had belonged, of his right to interfere in the counsels of the community, to assist in auditing the village accounts, or to receive his portion of any emoluments which were derivable from the fees paid for permission to exercise any trade or calling in the village by persons not originally belonging to it, or from any other source. Should he at any time become able to resume his land, he was at liberty to do so. A variety of minor regulations diversified the village constitution in different parts of India; but the general plan and most characteristic features were everywhere essentially alike, and established the virtual existence of a proprietary right in the soil, enjoyed by certain classes of the people, wherever it had not been infringed or abrogated by the usurpations or exactions of arbitrary rule.¹

¹ Occasionally an entire village might have become the property of a single individual; Minute, Sir Edward Colebrooke, Selections, iii.: but in general the lands were divided into an indeterminate number of subdivisions amongst the descendants of the original stock, or those holding in right of them. Their right to a certain number of shares was fixed, but adjustments took place from time to time according to the pleasure and convenience of the parties interested: the divisions were effected either by integral allotment, or by fractional parts of each description of the land, to be divided according to its quality. By the former method the shares were compact; by the latter they consisted of many particular spots situated in different quarters. In some villages, although comparatively few, the lands are undivided; yet this circumstance neither alters nor affects in any way the right of property in them. When the lands are undivided, each sharer usually continues to cultivate the same fields. A proprietary share is considered large at two hundred and fifty bégas, an ordinary one about seven bégas; some are as small as two bégas.—Fortescue on Tenures in the District of Delhi; Selections, iii. 404. The proprietary right may rest either in a single individual or in a community: the latter may divide among themselves the profits of the estate, either according to their ancestral shares, or some arbitrary rule having reference to the quantity of land which each

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The existence of proprietors of the soil not depending upon manual labour involved of necessity the existence also of a class or classes of persons willing to undertake the task of cultivating the land, paying a rent for the occupancy transferred to them for that purpose. Such persons accordingly were found in all places where the proprietors themselves had not been reduced to the level of a labouring peasantry; as was the case in much of the territory of the Peninsula, in the Mahratta provinces, and in Hindustan. They were not wholly wanting even in Bengal.¹ It would occupy too

member cultivates.—Thomason; J. B. Asiatic Soc. viii. 98. In various places, what was considered the original number of shares remained unaltered; but the distribution came to the same thing as their multiplication, it being in fractional parts: thus, some members might have a whole share, some a half, or some a hundredth part. This was the case in the Tamil countries; and the Thals of the Mahratta villages, and Pénas and Thokas of the Western provinces, seem also to have represented the original shares, and indicated the number of persons among whom the land was first divided.—Colebrooke, Sykes, &c. In the South of India the lands are of two kinds, privilege and proprietary: the former belong to the whole village, and a member can sell his share only; the latter may be cultivated collectively or separately. In the former case shares only are subjects of sale, in the latter the land is saleable.—Minute, Board of Revenue, Madras; Selections, i. 904. The other statements of the text rest also upon these authorities.

¹ In the Western provinces there were the Kudeem, or ancient Ryot; the Páhi, the itinerant or temporary Ryot; and the Kumera, or labourer: there was also the Kamín, or partial cultivator, an artisan or the like, cultivating a few bigas at his leisure.—Fortescue; Selections, i. 406. In Aximghur there were the three classes, but generally resolved into two: Ashraf, respectable; and Arzal, low.—Thomason; J. B. As. Society, viii. 112. In Bengal the cultivators were long since distinguished as holding Khud-kasht and Pai-kaast lands; the former cultivated by a permanent and resident, the latter by a temporary and migratory, tenant.—Harington, Analysis B. Regulations; Introduction. The Zemindari Regulations have merged the proprietor into the Khud-kasht cultivator, who was probably the permanent tenant. But there are other designations, less known, which preserve the distinctions; the Praja, (or subject,) having the right to sell; the Kalpa, paying him rent, and, while so doing, having the right of occupancy; and the Patti-dar, holding of the same by annual lease.—Briggs, Land-tax of India, Supplement, 500. In the South of India, in the Tamil countries, tenants are termed Paya-karis, cultivating persons: the permanent, Ul-kudi Paya-karis; the temporary, Para-kudi Paya-karis: in Malabar, Patom-karis, rent-payers: in Canara, Gabinis, literally tenentes; Múla-

much space to specify the various tenures by which they hold, and it will be sufficient to advert to them as distinguishable into two principal classes: the one possessing a right of perpetual occupancy as long as the stipulated rent was paid; the other having only a temporary possession, either for a definite number of years, or being tenants at will. The former might have tenants under them, and sublet the land, remaining themselves responsible to the individual or community of whom the land was held; they were also allowed to mortgage, but not to sell. The tenants for a term were bound of course by the tenor of their agreements: the tenants at will were often little better than mere labourers, and sometimes were degraded to the condition of slaves.

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From this sketch of the distribution of landed property in India it follows, that, whatever might have been the law or the theory, individual proprietary right, identifiable with ownership of rent, had a very extensive existence even to the latest periods of native administration. The precise nature of the title under which it was enjoyed was not always the same, nor was it always perhaps easy of verification; but, whether originating in ancient institutions, in colonisation, or in conquest, it had a real and substantial vitality, and animated the exertions of the

gabinis, radical or permanent tenants; Chali-gabinis, moveable tenants.—Madras Revenue Board; Selections. In the Mahratta countries the tenant is termed Upari, an “over” or “outer” man, an alien; Sukhwas, an abider at ease; a Mahiman, or guest: but the only tenure here known seems to be that of a tenant by agreement or lease.—Sykes, Land Tenures of the Dekhin. Of these denominations, some are Sanscrit, some Arabic, some vernacular, but they are all significant; and, had their significations been properly understood, little doubt could ever have been entertained as to the character of the persons to whom they were applied.

BOOK I. great body of the cultivating population, until it was
 CHAP. VII. destroyed or wrested from them, partially at least,
 1813. by the progress of events, and by the extortion,
 injustice, and ignorance of their rulers.

IV. The produce of cultivation being divided between the proprietor or cultivator and the sovereign, it was necessary that the latter should provide agents to determine and realise his share. With this view, under the Hindu system an officer was placed, as has been noticed, at the head of every village or township, who was accountable to a superior in charge of ten villages; he again was responsible to the superintendent of one hundred villages, and he to the head of a thousand villages.¹ This last, the governor in fact of a province, paid the revenue into the royal treasury. The Mohammedan Governments adopted divisions, corresponding in a great measure with those of the Hindus, but the organisation was less definite:² and in the anarchy of the declining empire, and in the general employment of the agency of revenue contractors, little trace was left of the primitive institutions beyond the head-man of the village, and the chiefs of one or two large but undefined portions of territory; the former designated in various parts of India as *Mokkaddam*, *Mandal*, or *Patel*, the latter known chiefly in Bengal and Hindustan as *Talukdar* or *Zemindar*.

The head-man of a village was the only func-

¹ Menu, vii. 119, 123; Elphinstone's History of India, i. 39.

² In Bengal we have the *Grāma* or *Gaon*, the village; the *Taraf*, the *Parganna*, and the *Taluk* or *Zemindari*, for the larger divisions.—Harington's Analysis, ii. 67. Among the *Mahrattas*, the *Patel*, the *Désamukh*, and *Sir-dés-mukh*, for the gradation of officers.—Sykes; Journal Royal As. Society, ii. 208.

tionary that was identified with the primitive institution, and who had lived on with it through all the revolutions which India had experienced.¹ Although, however, the office subsisted, it had not escaped alteration. The tendency of all public employment in India, from the office of the prime-minister to the function of village watchman, to become hereditary, is familiarly known. The station of head of a village followed the prevailing bias. From being an officer nominated by the sovereign,² he came to claim the post in virtue of his descent: the family became permanently grafted upon the village, and the representative of it regarded the superintendence of its affairs as his right. It is not unlikely that from the first the duty was entrusted to a leading member of the community, who, while he was acceptable to his townsmen, would be most competent to promote the interests of the state by his influence and responsibility. Time wrought other changes: the family decayed or disappeared; new men usurped the authority, or were elected by different portions of the community. The notion of

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¹ "In every village, according to its extent, there are one or more headmen, known by a variety of names in various parts of the country, who have in some degree the superintendence and direction of the rest. I shall confine myself to the term 'Mandal:' he assists in fixing the rent, directing the cultivation, and making the collections."—Minute by Lord Teignmouth; Fifth Report, 103. He particularises the Mandals of Birbhúm, Purnia, and Rajshahi, districts of Bengal. "Amongst the crowd of proprietors, the managers and leaders of the villages are the Mocuddims. These have been from time immemorial the persons through whom the rents of the village have been settled and collected, and who have adjusted the quota of each sharer."—Fortescue; Selections, i. 408.

² In the Mahratta countries the confirmation of the head of the state continued to be regarded essential to the validity of the Patel's authority. "The Patels about Poona say they hold their Patelships of the Emperor of Delhi, or one of the Sattara kings; but many of them must hold of the Peshwa."—Township of Lony; Bombay Trans. iii. 183.

BOOK I. property as well as privilege became attached to
CHAP. VII. the succession; and the person holding the office

1813. sold or mortgaged it, or a part of it, and introduced a colleague.¹ Different castes found admission into the village society, each having its own head; or different branches of the same family chose to be severally represented.² The headship was thus divided amongst fewer or more individuals. Nor was this a partition of a barren title or a post of honour: it was an apportionment of shares in certain fees, perquisites, and profits attached to the situation, founded upon the provision made originally for the remuneration of the head-man, but extended to a variety of objects not contemplated in the primary institution. From these and other sources of pecuniary benefit, the office became in some parts of India a means of acquiring wealth, and an object of competition.³

¹ The Patelship is hereditary and saleable, but the office is looked upon as so respectable, and the property attached to it is considered so permanent, that there are few or no instances of its being wholly sold, although part of it has been so transferred. This has given rise to there being two Patels in many villages, and in some three or four.—Bombay Trans. iii. 184.

² General Briggs found in a village near Calcutta, peopled by Moham-medans and Hindus, four Mandals; three for the former, one for the latter.—Supplement, Land-tax. And in a village near Madras, three Pedda-kars, or head-men; one for each caste of the population.—Supplement; Coll., &c. Colonel Sykes gives an amusing and instructive account of the solemn arbitration of a dispute in which two Patels of a village had sold a third of the office to a third party, for money wherewith to pay the public revenue. They subsequently contested the full advantages which the transfer was maintained to convey: a verdict was given against them in a Panchayat of Patels, who apportioned to each his separate share of precedence and emolument. Among other things it was decreed that each was to have a pair of shoes a-year from the village shoemaker, two bundles of fire-wood on festival-days from the village menials, three pots of water daily from the watchmen, and a third of all sheeps' heads offered to the goddess Bhaváni. What was still more valuable, a similar partition was enacted of the rent-free lands attached to the office, and of all lands that might lapse from families becoming extinct.—Tenures of the Dekhin; Journal Royal Asiatic Society.

³ The founder of the family of Sindhia was a Patel: Madhaji affected

The officers to whom the Mohammedan designations of Talukdars and Zemindars applied, indicated less distinctly their Hindu original. They differed in little except in a greater extent of authority and amount of collection, and not always in that; and it will be sufficient in this place to confine our inquiries to the latter.¹ Conflicting speculation has confounded our conceptions of the character of the Zemindar: some of the perplexity has arisen from the application of the term to different classes of persons, and some to the combination of different characters in the same class of persons. In some places the title Zemindar signifies the proprietor of the soil, either as landlord or cultivator, in his individual capacity, or as a member of a village community: in some places it denotes a sort of feudal proprietor, either paramount or subordinate: and in others, an individual responsible to the Government for its share of the revenue of a district of greater or less extent; deriving this responsibility from inheritance, and claiming also as a hereditary right an allowance out of the Government share for maintenance, and as compensation for the trouble and responsibility of collection.² It was in this latter capacity that

the title, whence the popular saying, "Madhaji Sindhia made himself master of India by calling himself a Patel."—Malcolm, *Central India*, i. 124. Holkar, the Bhonsla Raja, and others, took not only the title, but claimed the office and its emoluments in particular villages.—Sykes, *Land Tenures*.

¹ A Talook comprehended only a few villages or a small tract of ground. The Talook-dar, or holder of a 'dependancy,' sometimes held under a Zemindar, sometimes immediately under the Government, to whom his collections were paid. In the language of the Company's Regulations the latter is called an independent Talookdar. The Hindu name, Choudri, (a word of uncertain etymology, but apparently derived from Chaturtha-dhari, the receiver of a fourth part,) was sometimes applied to a Zemindar.—Harington's *Analysis*, ii. 63.

² Of the first class are the Zemindars of the Western provinces, as already

BOOK I. the Zemindar became first conspicuous in the fiscal
 CHAP. VII. arrangements of the Governments of British India,
 1813. and was regarded as having a claim to property in
 the soil.

Nor was this notion altogether without foundation. The whole of the district for the revenues of which a Zemindar was accountable, or any very considerable part of it, might not be his absolute property; but there is reason to believe that he was rarely a mere functionary of the Government, having no property nor interest whatever in the soil. In his case, as well as in that of the head of a village, individuals were no doubt appointed to represent the Government in a particular locality because they had extensive possessions in it, which conferred upon them local authority and influence on the one hand, and on the other afforded to the state a substantial security for the realisation of its demands. The additional power which his relation to the Government placed in his hands was liable to be used by the Zemindar for his own advantage, and oppor-

noticed; and of the second, the Zemindars of the border districts of Bengal, also adverted to. The Zemindars of Orissa, according to Mr. Stirling, are also the representatives of feudal chiefs, holding their lands by the tenure of military service; *Asiatic Researches*, xv. 229: So are the ancient Zemindars of the Northern Circars, and the Poligars of the Dekhin appear to have had the same origin. The last class were found chiefly in Bengal, but also in Hindustan. Their claim to a portion of the Government revenue only is clearly expressed in various Sunnuds or grants of the Mogul Government. One of these, quoted in the original by Mr. Thomason, dated 1609, is a grant made by Jehangir to a converted Hindu, and his descendants for ever, of twenty-four Purgannas in the province of Allahabad; from the Jumma or annual revenue of which he is to deduct one hundred and twenty-five thousand rupees for his Nankar or subsistence, and one per cent. for Zemindari dues (*Abwáb-i-zemindari*).—*J. Bengal Asiatic Society*, viii. 91. Mr. Shore (Lord Teignmouth) refused to admit a Sunnud to be a foundation of Zemindari tenure; *Fifth Report*, 204: but that was because he maintained the Zemindars to be proprietors of the land. Mr. Grant refers their origin to the time of Akbar.—*Ibid.* 632.

tunities were not likely to be wanting which enabled him to appropriate to his own uses the rights both of individuals and the state. The latter not unfrequently waived its own claims in his favour by grants of waste land, or by the assignment to him of the rent of different places in perpetuity for his subsistence; the right to the hereditary possession of which was admitted even when the Zemindar was relieved from all share in the collection of the revenue, was incapable by reason of age or sex of performing the duty, or when he declined to engage for the amount of the Government claim.¹ Besides this assignment, the Zemindar received a

¹ For this the term is Nánkár, literally, source of bread; General Galloway explains it "bread for work;" it is much the same thing, meaning subsistence-money. In the Sunnud last referred to it was a specified sum to be deducted from the whole rent, but it was more usually the rent or Government share of the produce of certain tracts of land within the Zemindari set apart for the support of the Zemindar.—Harington, ii. 65; and Fifth Report, 633. Mr. Trant identifies Nankar with Nijot, the own proper cultivated land of the Zemindar.—Evid. Com. Committee, 1832; Question 2037. Agreeably to the tenor of the Sunnud quoted in the preceding note, the Nankar was a pension assigned upon the revenue without specifying any obligation to collect the revenue, and hence the foundation, probably, of all such claims. It was rather a special grant to individuals than to the Zemindars as a class, and consequently was retainable where the duty of collecting the revenue was resumed or declined. There was another allowance, the Malikana, the origin of which is not so obvious: properly, it denotes the right of the Malik or owner; but, until the Zemindars were acknowledged to be owners by the British Government, it did not belong to them. It not improbably originated (as General Galloway supposes) in the reservation to the owner of a part of his proper share, amounting to ten per cent. of the estimated rent where the whole land had been oppressively assigned away from him.—p. 91. In the course of time it seems to have been appropriated by the Zemindars, and to have been converted by them into an hereditary claim for ten per cent. on the Government collections; and finally it was secured to them professedly in the capacity of proprietors of the soil, and therefore independently of official function, by the imperfect knowledge of the British Government.—Regulation viii. 1793, clause xlv. The same Regulation secured to recusant Zemindars their Nankar lands also, as long as the joint amount of Malikana and Nankar did not exceed ten per cent.—Cl. xxxvi. Certainly the Zemindars had no right to Malikana independently of employment in fiscal duties; and their right to Nankar depended upon the nature of the original assignment under which it was held, or the degree in which it was their Nij or own property.

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per-centage upon the actual collections, or what were understood to be the actual collections; and he was authorised to impose, for his own benefit, taxes upon the industry of the people,—an authority of which he amply availed himself.¹ The distracted state of public affairs, and the imbecility of the native Governments, left the Zemindars still more at liberty to pursue schemes of personal aggrandisement and profit, to encroach upon the rights of the people, and withhold the dues of the Government; until, in some instances at least, they raised themselves to the station of petty princes, levied troops and built forts, and defied the sovereign and his immediate representatives. To the people the encroachments of the Zemindars upon the Government claims were either acceptable or indifferent, and they were not without equivalent advantages, which reconciled them to a curtailment of their own rights. As long as they were allowed to remain upon their lands, it made no difference to

¹ The unwarrantable exactions of the Zemindars are alluded to in the instructions of the Bengal Government of 1769; and some striking illustrations are given by Mr. Sisson in his report, dated April, 1815. "One man buys a house, and celebrates his occupation of it by a religious ceremony; more than double the cost is exacted from his Ryots: the birth of a grandson costs him twelve hundred rupees; he collects from them on this account five thousand. Another has his house burnt; he not only extorts more than the value, but makes it an annual permanent charge to the Ryots. A third makes an annual progress through his estate, travelling in great state; the Ryots are taxed with the cost. A Zemindar buys an elephant; the Ryots pay for it. Every public or private religious ceremonial is an occasion of taxation: not a child can be born, not a head shaved, not a son married, not a daughter given in marriage, not a member of the family dies, but it is a plea for extortion."—Sisson, Report on Rungpore; Selections, i. 390. This was the state of things in Rungpore so late as 1815, and under the British Government: it could not have been much worse under the native Governments. It was the same in the South of India, although there these extra cesses are said to have been brought to the credit of the Government, no doubt very imperfectly.—Comm. Committee, 1832; Col. Sykes, 1957.

them whether the rent they paid went to the Zemindars or the viceroys of the Sultan. The former lived and died among them, generation after generation; they mixed with them on a variety of occasions; they expended money upon public festivals, and supported public institutions; they kept up a large following and an expensive household, and, through many different channels, refunded to the peasantry of the country the money which had been extorted from them. The revenue was spent among those from whom it was raised. When, therefore, the Zemindar was not more than usually oppressive and extortionate; when he was satisfied with the proportion of the produce which usage had established to be his due, and with the occasional imposts or cesses which experience had taught the cultivators to anticipate; he was looked up to with respect, or even with affection, and the people were ever ready to take up arms in defence of his person and possessions. It was not surprising, therefore, that he should have been confounded, by those who first contemplated him in this condition, as the hereditary landlord of a large estate and the proprietor of the soil; although, had they duly considered the limited amount of his acknowledged share of the proceeds of that estate, it might justly have inspired doubts of the validity of his claims to the produce of the whole. It had that result with some; and hence arose one argument in favour of the proprietary right of the sovereign, upon which the measures of the British authorities in 1793 were founded.

V. The proceedings of the Marquis Cornwallis,

BOOK I. recognising the Zemindars of Bengal, Behar, and
CHAP. VII. Orissa as proprietors, and fixing for ever the amount

1813. to be paid by them, have been already detailed; their results also, as far as they had been then ascertained, have been described.¹ The early arrangements adopted for the settlement of the revenue of the Ceded and Conquered provinces have also been adverted to; and it only remains to notice the course of proceedings which had been followed at Madras. The territory subject to Bombay was still too circumscribed to require separate notice.

Immediately after the conclusion of the perpetual settlement in Bengal, the home authorities directed its extension to the Presidency of Madras: its introduction was delayed by the difficulty of discover-

¹ Vol. v. 517. It may be convenient here to refer to the following authorities. The proprietary right of the Zemindars was advocated at an early date by Mr. Francis, in opposition to Warren Hastings, who urged in favour of a proposed commission of inquiry, that it would tend to secure to the Ryots the perpetual and undisturbed possession of their lands. Mr. Francis replied, "The state does not consist of nothing but the ruler and the Ryot; nor is it true that the Ryot is the proprietor of the land. The true landlord is the Zemindar."—Minutes of Hastings and Francis, Nov. 1776. Mr. Shore says: "I consider the Zemindars as proprietors of the soil, to the property of which they succeed by right of inheritance."—Fifth Rep. 203. The doctrine was next advocated by Mr. Rouse, in a dissertation on landed property in Bengal, 1791. On the other hand, it was stoutly contested by Mr. Grant: "There is not in the northern Circars, any more than within the rest of the wide circle of the British dominions in India, with exception of a few instances, a single individual among the native Hindoos, calling themselves Rajas or Zemindars, who have the smallest pretension, in form, right, or fact, to an inch of territorial property."—Fifth Rep. 633. But he erred in confining the right of property exclusively to the sovereign. Mr. Place, at a somewhat later date, 1799, took up the claim of the Ryots or husbandmen, at least, in the neighbourhood of Madras.—Fifth Report, 714. Most recent evidence is adverse to the claim of the Zemindars in any other character than that of hereditary collectors or farmers of the public revenue; but, inasmuch as it is exclusive, it is just as erroneous as all that has preceded it. Mr. Tucker's definition is also applicable in many instances, though not universally: "The Zemindar was the hereditary administrator, I should say, of the revenue, with a beneficial interest in the land."—Commons' Committee, 1832; Evid. 1813.

ing individuals with whom the engagements were to be concluded, for the intervention of persons analogous to the Zemindars of Bengal between the cultivating population and the Government was generally unknown. The reiterated injunctions of the Court of Directors, and the positive orders of the Bengal Government, caused Zemindars to be discovered or created; and several regulations were passed in the course of 1802, declaratory of their proprietary right, and announcing the principles of a perpetual settlement, which, after some interval, was effected in the districts that had been longest subject to the authority of the Madras Government.¹

Whilst these arrangements were in progress, a settlement on entirely different principles had been commenced in the territories latterly conquered from Mysore. As their circumstances and resources were imperfectly known, it was deemed prudent, before forming any assessment in perpetuity, to institute a detailed survey with a view to the determination of its amount, and in the interval to conclude temporary arrangements with the actual occupants of the lands. These proceedings, undertaken for the ultimate purpose of effecting a permanent Zemindari assessment, gave rise to a new system of revenue administration, since designated Ryotwar, or a settlement individually and immediately with the Ryots, meaning by the term the actual cultivators of the soil. The survey was conducted by Colonel Reade, having for his assistants Lieutenants Munro, Macleod, and Graham; the former of whom, afterwards Sir Thomas Munro,

¹ The northern Circars, the Jagir, part of Salem, Madura, and Tinevelly.

BOOK I. became subsequently more especially identified with
 CHAP. VII. the system.¹ The objects they were directed to

1813. determine were, the extent of the land in cultivation, the quality of the different sorts of land, the tenure by which it was held, the value of the different crops, and the share of the produce to which the Government could justly lay claim. An annual adjustment was to be made with each cultivator for the land he cultivated, at a maximum money rent for each field, according to the circumstances and capability of the land, whatever might be the produce: the amount to admit of reduction where the necessity of reduction was shown, and to vary from year to year, until the inquiry should be sufficiently matured to allow of its being determined for ever.²

The proceedings of the revenue survey were first directed to the districts of the Baramahal and Salem. They were extended to the Ceded Provinces above the Ghats, after the capture of Seringapatam, under the conduct of different officers who had been mostly trained under Colonel Reade. There was some variety in their methods of discharging the duty,³ and

¹ Military collectors were appointed to this duty by Lord Cornwallis expressly because "few of the civil servants were acquainted with the country languages, and were therefore obliged, both from habit and necessity, to fall into the hands of Dubashes (interpreters).—Letter to the Court of Directors, May, 1792; Fifth Report, 744. It appears that the implied rebuke was not without effect, as in the subsequent settlements several civilians were employed; although this was the effect of positive orders from Marquis Wellesley, repeatedly confirmed by the Court of Directors, that civilians only should be so employed.—Commons' Committee, 1832. Public. App. (M.)

² Letter of Colonel Munro to the Board of Revenue, 30th Nov. 1806, with instructions to the surveyors, &c.—Fifth Report, 783.

³ "The revenue surveys under the Madras Presidency were not regulated by any uniform rule, and in some respects were, perhaps, defective in principle. The most ample discretion was vested in the local officer on whom this duty was imposed in each district; and the details naturally

still more in the rate of their assessments: but their operations were equally based upon the measurement of the lands, both cultivated and waste; the determination of their fitness for particular crops;¹ the money valuation of the estimated produce of the land in cultivation, and its partition between the cultivator and the Government; the rate varying from one-third of the supposed value of the gross produce to little less than a half, or forty-five per cent.² The measurements and valuations were made in the first instance by native surveyors, but the final assessment by the head collector himself in personal conference with the Patels and principal Ryots of every village. Reference was also had to the recorded collections of the native Governments; and, where the total of the survey assessment exceeded it materially, some remission was granted.

varied with the particular views of the individual."—Campbell on the Land Revenues of India; Commons' Committee, 1832, App. 44. See also the Reports from the collectors Munro, Ravenshaw, Hurdiss, Garrow, Wallace, &c.; Fifth Report, 745.

¹ In the first instance the land was distinguished into three sorts: Nanja, wet, or that which was supplied with water by irrigation; Panja, which depended wholly upon rain: in these, rice and various other grains were reared. The third kind of land was that fit for miscellaneous products other than grain—tobacco, pepper, cotton, and vegetables. Each of these was subdivided into a variety of species, according to their fertility: as many as twenty distinctions of each class are enumerated in Colonel Munro's instructions to his assessors; but they were directed to restrict their specifications to ten kinds of dry land, eight of wet, and six of garden ground.—Instructions, &c. as above cited.

² Colonel Munro observes of the Ceded districts, and of the Dekhin, that the mode of assessment in force there limits the Ryot to two-thirds of the gross produce, but reduces it in fact nearly to a half. His own assessment was forty-five per cent., but as a permanent rate he proposed to reduce it by one-fourth; so that the total being . . . 100

Deduct Government share . . .	45
Less one-fourth . . .	11½

Final deduction . . .	33½
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Leaving to the Ryot per cent. . . 66½.—Fifth Report, 342.

BOOK I. Remissions were also made upon the realisation
CHAP. VII. of the year's revenue, if the season had proved unfavourable or the crops defective.

1813.

The incidents of the Ryotwar settlement attracted the attention of Lord William Bentinck during his administration of the government of Madras, and led him to the conclusion that the Zemindari system was incompatible with the true interests of the Government and the community at large. The right of private property in the soil, ascertained by Colonel Munro to exist in Canara, satisfied him that, although similar rights might elsewhere have been trodden down by the oppression and avarice of despotic authority, yet they still existed, and were to be discovered in every village. To create Zemindars, and invest them with a property to which they could have no claim but the arbitrary will of the state, was neither calculated to improve the condition of the people, nor provide for the future security of the Government.¹ The Zemindari settlements were in consequence arrested, and the principle of the formation of a permanent settlement with the Ryots was thenceforth to regulate the revenue arrangements at Madras. The determination was of short duration.

The survey assessment of the Ceded provinces above the Ghats was scarcely completed² when the Government of Madras was induced to entertain a doubt whether it was not desirable to relinquish the Ryotwar system, and substitute for it some plan of

¹ Minutes of Lord W. Bentinck, and Memoir of Mr. Thackeray ; Fifth Report, 912.

² It commenced in 1802, and was finished in 1807.

settlement approximating more nearly to that of estates permanently assessed. The Board of Revenue, to whom the subject was referred, adopted a view unfavourable to the continuance of the Ryotwar system, chiefly on the grounds of its incompatibility with the judicial regulations recently introduced at Madras, by which all questions of revenue were removed from the cognizance of the revenue authorities to regular courts of justice.¹ As long as a country was unsettled, and great discretionary authority was vested in the collector, the Board admitted that a survey settlement with the Ryots was well calculated to develop the capabilities of the country, and detect and remedy abuses; but when the settlement was effected, and regular courts of law were established, the power of discretionary and summary decision was necessarily withdrawn from the collector, and all disputes were referable to legal tribunals, which could not possibly provide for the numerous cases that so many and such minute disputes, as must arise under the Ryotwar system, would bring under their cognizance. The permanence of the Ryotwar system depended also upon the reduction of the assessment, as proposed by Colonel Munro, by one-fourth of its amount; a sacrifice

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¹ The question was first brought forward and was fully treated by Mr. Hodgson, who had been a member of a committee appointed to inquire into the causes of the failure of the permanent settlement in Dindigul.—*Selections*, i. 581. It is also worthy of remark, that at this date Colonel Munro had gone to England, and Sir George Barlow had succeeded Lord W. Bentinck at Madras. The great advocate of the Ryotwar system was absent, and the head of the Government was naturally biassed in favour of a system, “a large portion of which had engaged his attention for twenty years, and which he had deliberately resolved on accelerating in the Ceded and Conquered provinces” of the Bengal Presidency.—*Minute of Mr. Colebrooke*, *Sel.* i. 46.

BOOK I. which the exigencies of the Government did not
 CHAP. VII. allow it to contemplate. The Board therefore re-

1813. commended, and the Government resolved, that the Ryotwar plan should be abandoned,¹ and that of village leases substituted; the villages being let to the head of the village, or principal cultivator, for a term of three years, for the annual payment of a sum determined by the aggregate collections of former years, or the survey rent where it could be depended on. The regulations of the Government, it was asserted, were fully adequate to protect the Ryots against the oppression of the renter. The course thus pursued was sanctioned by the Court of Directors, who at this period seem to have been persuaded that no advantage was to be expected from the further prosecution of the Ryotwar assessments.² In finally approving of the arrangement, however, they intimated that they were not anxious for the early extension of the principle of permanency into any of the territories into which it had not been introduced, and restricted the Madras Government from concluding such a settlement in any district without the previous sanction of the Court.³

¹ Revenue Letter from Fort St. George, 24th Oct. 1808; Selections, i. 483.

² Extracts of Dispatches from the Court, 30th August 1809. The Court also dwell upon the obvious defects of the system,—the minuteness of investigation which it involves, the necessary employment of countless native agents, the impossibility of effectually preventing their malpractices, and the difficulty of adjusting the rents to all the varieties of seasons and public events; and conclude, that, “although the plan intelligently followed up might be well calculated to discover the resources of a country, yet it was not to be preferred for constant practice; and the doubt which Lieut.-Col. Munro has properly stated, whether it be equally well fitted for the improvement of a country as for the discovery of its resources, would, they were strongly inclined to believe, be resolved in the negative.”—*Selec. i. 598.*

³ The date of this letter, Dec. 1811, accounts for the change of opinion which it expresses.—*Selections, i. 600.*

The prohibition against concluding a settlement in perpetuity in any of the Madras territories was announced scarcely in time to prevent the Government of Fort St. George from pledging itself to the measure. The results of the triennial settlement, although in several instances unfavourable, were considered sufficient guides to the determination of the utmost capabilities of the land, and the consequent limitation of the Government demand. The benefits of the measure required, it was affirmed, no discussion; and the only points for consideration were the time and mode of carrying it into operation. With regard to the former, it was concluded that the period had arrived at which the Government might proceed to a final settlement of the land revenue without any risk of compromising the public interests; and, with regard to the latter, that the preferable method was that of the Mouzawar or village settlement. It was resolved, therefore, to proceed at once to conclude a settlement for ten years with heads of the villages singly, or with any respectable inhabitants of the village or district, or, in the event of their refusal, with any responsible individuals, conditioning that the amount of revenue to be paid by them should become a permanent settlement at the end of the ten years if approved of by the Court.¹ Their approval was not to be expected: and, in the reply of the Court, the grant of the proposed decennial leases was prohibited, or, if already granted, they were to be declared terminable at the end of the ten years: the principle of permanency was discarded, and positive orders

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1813.

¹ Letter from Fort St. George, 29th Feb. 1812; Sel. i. 513.

BOOK I. were given for an immediate return in all possible
 CHAP. VII. cases to annual and individual settlements with the

1813. cultivators—to the Ryotwar assessments. The orders were complied with. Sir George Barlow was presently afterwards removed from the government of Madras, and the revenue discussions terminated for the present at that Presidency.¹

The discussions in Bengal turned principally upon the question of permanency. With whom the settlement should be made had scarcely yet become a subject of consideration with the Government, which looked everywhere for Zemindars; but among its functionaries, and particularly in the unsettled districts, a conviction had begun to spread that the question of tenure was still to be investigated. The fact was brought to the notice of the Government more distinctly than it had hitherto been by the members of a special commission which had been appointed to superintend the engagements that were to be concluded with the landholders in the Ceded and Conquered provinces upon the approaching expiration of those which were in force.² It was at the same time announced to the Zemindars and other actual proprietors of land in the Ceded and Conquered provinces that the revenue which might be assessed on their estates in the last year of the settlement which was now to be made should remain fixed for ever, in case the Zemindars were willing to engage for the payment of the public revenue on those terms in perpetuity, and the arrange-

¹ The letter of the Court is dated 16th December, 1812; Sel. i. 525. In the following August a long and able minute of the Board of Revenue is recorded in vindication of their views and proceedings.—Ibid. 577.

² Regulations x. 1807; vi. 1808.

ment should receive the sanction of the Court of Directors.

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The commissioners, Messrs. Cox and Tucker, entered upon their duties at the end of 1807. Early in the following year they submitted a report of their proceedings,¹ and a description of the several collectorates in the districts which they had visited ; and they came to the conclusion that a permanent settlement of the revenue of the Western provinces was at that moment premature, and might be injurious to the people, while it would be necessarily attended by a material sacrifice of the public resources. The right of property in the cultivated lands was in many cases contested. It remained to be determined with what parties a settlement should be effected. Lands were held free upon tenures the validity of which required proof, and there were extensive waste lands of which the rightful appropriation was to be ascertained. At least a fourth of the arable land was yet uncultivated, and neither the resources of the provinces nor their means of improvement were known. Although, therefore, professing to be fully aware of the advantages which might be expected from a perpetual limitation of the Government demand, the commissioners recommended that the announcement of a permanent settlement should be suspended, and that the period for which the engagements were to be renewed should be devoted to the diligent accumulation of the information essential to its establishment on safe and equitable principles. Their recommendations were at variance with the established opinions

¹ Selections, i. 45.

BOOK I. of the Supreme Council. Mr. Colebrooke, one of
 CHAP. VII. the members, objected to their reasonings, that they
 1813. were the same which had been overruled or refuted
 in the discussions preceding the permanent settle-
 ment of Bengal; and that experience had confirmed
 their fallacy, as the design of the permanent settle-
 ment of 1793 had been fully accomplished in that
 part of India. The same advantages were therefore
 to be expected from the application of a like measure
 to other places; and the Government was pledged,
 by the terms of the preceding regulations, to its im-
 mediate adoption in the Ceded and Conquered pro-
 vinces.¹ Mr. Lumsden, the other member of Coun-
 cil, although differing in some respects from his
 colleague, came to the same conclusion; and Lord
 Minto, after a deliberate consideration of all the pro-
 ceedings, declared himself satisfied of the sound
 policy, or rather the urgent necessity, of no longer
 delaying to settle the revenue assessment of the
 Western provinces in perpetuity.² The determina-
 tion of the Government was disapproved of in Eng-
 land. The Court of Directors declared, indeed, that
 they neither meant to undervalue the advantage of
 the permanent settlement in Bengal, nor to desert
 the principle on which it was formed; but it was
 evident that the principle was reluctantly enter-
 tained, and that doubts began to be suggested whe-
 ther its consequences were not embarrassing to the
 Government, without yielding an equivalent benefit
 to the people.³

¹ See the purport of the regulations referred to in a former place, p. 114.

² Revenue Letter from Bengal, September, 1808.

³ Revenue Letters to Bengal, 1st Feb. and 27th Nov. 1811; Sel. iii. 5.

The expense of any scheme of administration must be proportionate to the advance of a state in wealth and power. The more numerous the people, the more extensive the territory, the more complicated the internal and external relations, the more costly must be the machinery of the Government. The golden age has not yet come back; and from time to time all countries must be placed in situations in which an unusual application of all available resources is indispensable for their safety. It were most impolitic, therefore, if it were possible, to fix for ever impassable bounds to the public revenues, in ignorance of the possible extent of future exigencies. Such a limit was of course never in contemplation: but it was anticipated that the restriction of the Government demand upon the land would be followed by a proportionate improvement of the estates of the landholders; that capital would accumulate, expenditure increase, and the people be placed in circumstances favourable to an augmented consumption of articles both of necessity and luxury; that a system of indirect taxation, like that which is the main source of revenue in Europe, might be introduced into India; and that in the end the revenue of the Government would augment with the augmented affluence and prosperity of the country. These anticipations had been indulged in without a due consideration of the obstacles which impeded their realisation; without a due regard for

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These and similar dispatches are referred to as the letters of the Court of Directors, as they are so designated in the Records. Agreeably to the evidence cited in a former note, they would with more propriety be termed the letters of the Board of Controul.

BOOK I. the manners, the wants, and the feelings of the
CHAP. VII. people. It would be scarcely prudent to predict

1813. that those obstacles will never be overcome; but many and great changes must take place before they can be so far surmounted as to justify a Government of India in ceasing to look to the land as the principal feeder of the public exchequer. It were an act of suicidal improvidence prematurely to divest itself of so commodious and productive a source of revenue to any extent which may not be in excess of the fair claims and reasonable expectations of the agricultural population, and which is consistent with their own usages and opinions.

With respect also to the interests of the agricultural population, the advantages of a permanent settlement are in a great measure illusory. The basis upon which it rests is a proportion of the produce, a third or a half; and this is then determined to be a definite and unvarying quantity. But it is universally admitted that it is almost impossible to ascertain with precision the absolute total produce of any given portion of land; and the proportional produce must be fixed therefore in most cases by conjecture, involving one of the well-known evils of the permanent settlement—great inequality of assessment. The total produce indeed cannot be fixed by regulation: it must vary both in quantity and quality with the amount of labour and skill bestowed upon its production, and upon the recurrence of favourable or unfavourable seasons. The proportion, however, being a fixed unvariable amount, does not fluctuate with the causes of fluctuation; and, in the event of peculiarly unpropitious circumstances,

this amount may be equal in quantity, not to a half, but to the whole of the crop. In answer to this it may be said, that in favourable times the fixed rate may bear a lower proportion to the whole, and that a bad year consequently is compensated for by a good one; but what then becomes of the principle of permanency, for the cultivator pays at different periods a different rate of rent? To have to make provision, whilst he prospers, against a possible reverse, subjects him to uncertainty as much as if his payments varied from year to year: and to suppose that the Indian cultivator will exercise such foresight, is to expect a total revolution in his character and habits. The futility of such an expectation was shown in the immediate effects of the permanent settlement,—the ruin of the greater number of the Zemindars, and the sale of those lands of which they had been constituted proprietors, for arrears of revenue.

If a variable ratio is unavoidable when calculated upon the produce in kind, it is still more obviously inevitable where, as in the case of the permanent settlement, the Government demand has been calculated upon the estimated money value of that produce. That this value should remain unaltered for ever is as impossible as that society should stand still; a stagnation less to be looked for in India than in any other part of the world amid the elements of incessant change that are daily springing up from the novel ascendancy of European principles and forms of civilization. A fall in the price of silver, and augmentation in the prices of labour and commodities, are a virtual abatement of the re-

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BOOK I. venue assessment : a rise in the value of silver, and
 CHAP. VII. fall in the price of grain, are a virtual enhancement.

1813. The same might be the result of an extraordinarily abundant harvest, and consequent diminution of demand ; by which prices might be so depreciated, that the sale of a farmer's whole produce might fail to realise the fixed money value of the Government share.¹ It is evident, therefore, that a permanent settlement, or an unvarying amount of revenue derivable from a money valuation of an unchanging quantity of produce, is invariable or permanent only in terms.

It does not follow that because a Government refrains from declaring that it will at no time, and on no occasion, raise its demand, that it is therefore to discourage the industry of the agricultural population, or obstruct the accumulation of capital, by constantly keeping up its demands at a maximum rate. There is a principle of permanency which is more essential to the prosperity of the country than

¹ In the assessment made by Colonel Briggs in Kandesh, the people were at first highly pleased with the settlement, which was formed with the villages upon the average collections of ten years. At first it fell lightly ; but, the assessment being paid in money, it became heavy when the price of grain declined. When the country was first taken under British management, the price of grain was about four shillings a bushel ; in four years, in consequence of increased cultivation and diminished demand, from the absence of troops and other circumstances, it had fallen to sixteen pence the bushel : it was quite impossible, therefore, the villagers could pay the same amount in money in the fourth year as they had done in the first. The public revenue of Kandesh, notwithstanding increased cultivation, therefore, was reduced from sixteen lakhs of rupees to eleven, and eventually to six lakhs.—Lords' Committee, 1830 ; Evidence, Question 4049. So also Colonel Barnewall, speaking of Guzerat, observes, that in consequence of the continuation of tranquillity, and the reduction of public establishments, the bulk of the population has become agricultural, and the supply of grain so far exceeds the consumption, that agricultural produce is no longer saleable at its former prices : the profits of the farmer are consequently diminished, and he is unable to pay the revenue demand of the Government.—Commons' Committee, 1832 ; Evid. Political, 151.

that of a nominally perpetual assessment,—the in-
variable recognition of the right of the proprietor of
the soil to a rent from his estate. As long as the
Government constitutes itself sole landlord, and ap-
propriates the whole, or nearly the whole, of the
rent, there can be no accumulation of capital, no
advance in wealth, no creation of collateral re-
sources among the mass of the population, for what-
ever period the assessment may be fixed. A mode-
rate rather than a perpetual settlement is the real
want of the people. Speculators in revenue, middle-
men, Zemindars, may be anxious for a perma-
nently definite amount of the Government demand;
which, while it limits what they are to pay, permits
them, as did the settlement of Lord Cornwallis, to
crush the cultivator under exorbitant exactions: but
there is every reason to believe that the actual oc-
cupants and cultivators think and care little about
the question of permanency.¹ It may be convenient
to all parties to adjust the assessment for a term of
years; but as long as the amount is not extortionate,

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¹ The evidence of Mr. Fortescue on this subject, as regards the people of the Upper provinces, is conclusive. According to him, the Ryots or cultivators know little or nothing about a permanent settlement, and have no desire for its introduction: some dislike the notion from fear of its affecting their local interests, and such as are desirous of it are so from the representations which interested persons have made to them of its advantages; that is, Zemindars of the village engaging for the revenue as landholders, and who expect to derive from it the authority which they are told that it confers upon the Zemindars of the Lower provinces.—Commons' Committee, 1832; Questions 2330-2340. Mr. Mackenzie observes: "If not hated by the people (of the Upper provinces), we are without the slightest hold on their affections. This seems, it may be proper to remark, to have no connexion with the permanent settlement, on which the very few who were interested never probably relied, and of which the great body of the landholders never heard. Of some thousand petitions which I received when in the Western provinces, and of many tens of thousands of petitioners whom I saw and talked with, not one touched upon this point."—Commons' Committee, 1832; General App. 212.

BOOK I. and a persuasion exists that it will not be increased
CHAP. VII. without an adequate cause, the agricultural popula-

1813. tion of India will be contented; for they will be as prosperous as they can become under the universal institution of infant marriages, the equal partition of inheritance, the few wants which the nature of the climate and the condition of society impose, and the entire absence of the countless objects of needless expenditure which in part disgrace and in part dignify society in Europe. Upon these and similar grounds the authorities in England had learned to question the advantages of a permanent settlement as affecting the interests either of the people or the state.

In addition to the objections which might be urged to the measure generally, there was undoubtedly ample reason to question the propriety of its immediate adoption in the particular case of the Ceded and Conquered provinces. The experience acquired in Bengal had established the mischievous consequences of precipitancy. Even Mr. Colebrooke, who asserted that it had answered the objects proposed by it, was obliged to admit that the persons whose benefit it was intended to promote,—the Zemindars, whom it was designed to enrich,—had not profited by the beneficence of the Government; the greater number of them were in fact utterly ruined. Wholly unaccustomed to punctuality in their payments to the state, and bred up in habits of prodigality and improvidence, they speedily fell into arrears; for the recovery of which, under the stringent enactments of the Government, their estates were immediately and absolutely dis-

posed of by public sale. In the course of a few years, many of the Zemindars whom the settlement of 1793 had proposed to transform into a landed aristocracy had been reduced to indigence, or had utterly disappeared; and families, which had survived the successive revolutions of the native Governments, vanished before the inflexibility of the Company's regulations.¹ Nor was the situation of the Ryots bet-tered by the change. Originally left to the arbitrary will of the Zemindars, the exactions to which they were exposed were tempered by the beneficial influence of a long-established intercourse with their ancient landlords. To the new purchasers of the Zemindaris, who were mostly men who had grown rich in the service of the English, and were residents of Calcutta or other commercial towns, their tenantry were merely objects of speculation, from whom they proceeded to extort the largest possible return for the capital which had been invested in the purchase. Under such task-masters the cultivators were soon reduced to the state of a pauper peasantry, scarcely gleaning a subsistence from the soil, and in no con-

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¹ "My impression is, that a very small proportion of those with whom the permanent settlement was made are now owners of the land, very great alienations of the land being made in the first year of the settlement."—Mill, Commons' Committee, 1831; Question 3210. In Question 3997 allusion is made to the statement of the Fifth Report, that in 1796 one-tenth of the whole of the lands in Bengal, Behar, and Orissa were put up to sale. Mr. Tucker and several other well-informed officers of the Company affirm, that the number of estates put up for sale is no evidence of the number of sales; but Mr. Tucker admits, that of the three largest Zemindaris, those of Rajshahi, Nadiya, and Burdwan, the whole of the first, and part of the second, had been sold prior to 1799, and that a very considerable number of estates passed into the hands of the merchants and bankers of Calcutta.—Evid. Commons' Committee, 1832; Revenue. Question 1861. Even as late as 1821-2, when the sales were much fewer than in the years immediately following the settlement, the number of estates sold for arrears of revenue was 396.—Ibid. Q. 2603.

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dition to swell the coffers of the state by their consumption of taxable commodities.¹ To disregard the lesson, and repeat the same errors elsewhere, would have been wholly indefensible; and it was so obviously the duty of the Government to guard against the evils which could not fail to follow the conclusion of a perpetual settlement upon imperfect information, that it is difficult to comprehend how the measure should have found advocates among men of tried ability and mature knowledge. Their advocacy was fruitless. The Court of Directors persisted in their prohibitions;² and the Government of Bengal was compelled to rescind a regulation which had enacted that the amount of revenue levied in the last year of the temporary settlement then subsisting should be fixed for ever.³ At the same time, in conformity to previous enactments, it was provided, that, with respect to those estates which the commissioners should think sufficiently improved to justify such an arrangement, the assessment on them should be revised, and a rate be fixed in perpetuity. The provision was inoperative, as was probably expected. No estates

¹ The injurious operations of the permanent settlement of Bengal upon both the old Zemindars and the Ryots are detailed in the Fifth Report, 60; see also Mill, v. 518, 522. Sir Charles Metcalfe observes of the Bengal permanent settlement, that it was an experiment, in the results of which he can discern no benefit that should induce its repetition. It not only sacrificed the prospective rights of the Government for ever, but, by declaring those to be proprietors who were not proprietors, it in effect destroyed the rights of all the proprietors and cultivators.—Commons' Committee, 1832; App. 469. Mr. Mackenzie states, that the Bengal assessment led to the greatest possible inequality, and left everything in a state of utter darkness and confusion.—*Ibid.* Evidence; Q. 2581.

² Letter from the Government of Bengal, 11th July 1812.—*Selec. i.* 134.

³ Regulations x. 1807; and ix. and x. 1812.—*Selec. i.* 162.

were found that had reached the utmost limit of improvement.¹

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A difference of opinion also prevailed with respect to the method by which the resources of the unsettled provinces were to be ascertained. To the suggestions of the Court that the scheme of the Ryotwar assessment followed at Madras should be applied to them, the Government of Bengal justly objected its inapplicability to a territory where the lands were jointly occupied and cultivated by numerous owners, held together by a community of tenures imperfectly understood. To form engagements with individual occupants was quite as likely to invade and overturn the rights and privileges of the landed proprietary as the Zemindari settlement had done; and to deal separately with individual cultivators tended to disorganise and dissolve the village communities,—thereby depriving the people of the salutary habit of regulating their own concerns, and the Government of a ready and economical channel by which the revenue might be realised.² Instead of forming engagements with the associated proprietors, represented by respectable persons of their own election, it would be necessary to let loose upon the land a swarm of locusts in the shape of

¹ Letter from the Court, 16th March, 1813 ; Sel. i. 136.

² Sir C. Metcalfe, although friendly to the principle of Ryotwar assessment, objected to its introduction into the Western provinces, because it appeared to him that it must tend to loosen and ultimately dissolve the ties which bind the village communities together. Instead of all acting in union with a common interest as regards the Government, and adjusting their own separate interests among themselves according to established usage, each would have his separate independent arrangement directly with the Government, and could hardly fail to be thereby less linked with his fellows. The village constitution, which could survive all outward shocks, might be easily subverted with the aid of the Government regulations and the courts of justice.—Commons' Com. 1832 ; App. p. 471.

BOOK I. numberless subordinate collectors and assessors,
CHAP. VII. whose exactions from the people it would be im-

1813. possible to check, and whose frauds upon the state it would be equally impossible to discover. Whether, therefore, the interests of the Government or its subjects were considered, a Ryotwar assessment was regarded, and with reason, as alike objectionable.¹ There was less reason in the objections urged against the preliminary measure of a survey of the lands to be assessed. It was affirmed that the plan had been repeatedly tried, and had been attended with so much inconvenience and such unsatisfactory results, that the Government felt satisfied the most experienced and capable of its revenue officers would deem the revival of it an evil burthensome and oppressive to the people, and unproductive of any substantial benefit to the pecuniary interests of the state. In preference to such a mode of obtaining a knowledge of the resources of the country it would be advisable to rely upon the Zemindari and village accounts, although it was admitted that they were not unfrequently false or fabricated. Such a preference was evidently dictated by strong and unfounded prejudice. Revenue surveys may very possibly be conducted in such a manner as to be vexatious to the people and unprofitable to the Government: the conclusions to which they lead may not be entitled to unqualified credit: but experience has demonstrated that they can be carried on without giving any offence to the people; while, although they may not be exempt from error, they furnish

¹ Revenue Letter from Bengal, 17th July, 1813; and Second Minute of Mr. Colebrooke; Sel. i. 179.

the only safe means of making an approach to accuracy in determining the productive value of the land.¹ At this point the discussion ceased. Different views influenced the measures of the succeeding Administration.

Some attempts were instituted by the Government of Bengal to repair the evil which had been occasioned by the long neglect of the Government to exercise that interference which at the time of the permanent settlement it had avowedly retained the right to exert in protection of the equitable claims of the Ryots.² At first some intention was manifested of acting upon the power so reserved; and the Zemindars had been in the same year prohibited from imposing any new imposts, from cancelling leases legally obtained, or refusing to grant others for a specific amount of rent.³ The main object of the Government in the regulations then and subsequently passed was, however, evidently its own security, originating in an apprehension that the Zemindars might plead the difficulty of realising their demands from the Ryots in extenuation of

¹ The exceedingly defective sources of information on which, prior to the establishment of surveys, assessments were based, are thus enumerated by Mr. Mackenzie: "Our settlements were made in haste, on general estimates or surmises, on accounts never believed to be accurate, and never brought to any clear test of accuracy, on the offers of speculators, on the biddings of rivals, on the statements of candidates for employment seeking credit with Government by discoveries against the people, on information of all kinds generally worthless."—Letter to Mr. Villiers, Commons' Committee, 1832; Evidence, 417.

² Section 8, Reg. i. of 1793, declares, that "it being the duty of the ruling power to protect all classes of the people, and more particularly those who from situation are most helpless, the Governor-General in Council will, whenever he may deem it proper, enact such regulations as he may think necessary for the protection and welfare of the dependent Talookdars, Ryots, and other cultivators of the soil."

³ Reg. viii. 1793.

BOOK I. their failing to pay the demands of the state.
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1813. Under these impressions, it was enacted that no leases should be granted for a period longer than ten years; and that, when a Zemindari was sold for arrears of revenue, all existing engagements should be void from the day of sale, the purchasers being entitled to collect from the renters according to the undefined rates and usages of the country.¹ Finally, a power was vested in the landholders of summarily distraining for rent.² The result of these measures was to place the Ryot completely in the hands of the Zemindar, and to enable the latter to raise his rents at pleasure. It was therefore found necessary to interpose, and a regulation was subsequently enacted³ by which the limitation of the leases was abrogated: they were authorised to be granted for any period, and on any terms to which the parties should mutually agree, in the hope that they would thus be obliged to come to some definite understanding, instead of leaving the door open to oppressive fraud and endless litigation, which the appeal to so vague a standard as that of usage rendered perpetual. It was also decreed, that, in the event of an attachment or sale of a Zemindari, the leases should not be annulled within the year in which the attachment or sale should have taken place; that where the collections were regulated by pergunna or district rates, and those rates were not fixed by anything more precise than custom, they should be of the same amount as those which were actually paid in the neighbourhood upon lands

¹ Regs. xlv. 1793, and iii. of 1796.

² Reg. vii. 1799.

³ Reg. v. 1812.

of like quality, or they should not exceed the maximum rate paid upon the same land during any one of the three preceding years. No enhancement of existing rates was to take place, except under an engagement to that effect, or a formal and written notice of the specific amount to be required during the ensuing year being served upon the tenant. Process of distraint was prohibited, except after due notification in writing having been given; and agricultural implements and cattle were exempted from seizure. Process was also to be suspended where the defaulter engaged by bond or sufficient security to institute a suit for the trial of a contested demand within a reasonable period. The latter clauses of this enactment were beneficial; but the liberty given to the Zemindar to frame engagements for an indefinite period, and on such conditions as the parties might agree to, was speedily interpreted into an authority to dispossess even the Ryots claiming hereditary occupancy if they refused to accede to his demands, however exorbitant.¹ The limitation of the Government assessment in the Western provinces rendered it necessary to limit also the engagements between individuals in those provinces;² and in the same districts the collectors were authorised, under the Board of Commissioners, to investigate the titles by which la-kharāj or rent-free lands were held. Rules were also passed for the occasional subdivision of estates held in common, so that the holder of a joint undivided property might have his share verified and separately assessed.³

¹ Letter to Government of Bengal, 13th Jan. 1819; Selections, i. 360.

² Reg. xiv. 1812.

³ Regs. viii. and ix. 1811.

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1813. In order to extend the public resources of the Government, it was thought advisable to impose a tax upon houses in the several towns and cities of Bengal, Behar, Orissa, and Benares:¹ religious buildings were exempted. Such a tax had been levied for some years without any difficulty or obstruction in Calcutta, and it was not expected that any serious opposition would be offered to it in other cities. The Government was mistaken. The measure was regarded as an innovation, and was vehemently opposed. At Benares especially the resistance was most violent, and was curiously characteristic of the peculiarities both of the place and the people.

As soon as the intentions of the Government became known, great excitement prevailed throughout the city, and meetings of the different castes and trades were held to determine upon the course to be pursued. No obstruction was offered to the persons employed to assess the houses; but the shops were closed, every kind of occupation was abandoned, and such numerous crowds assembled on the outskirts of the town, that it was judged expedient by the magistrate to call to the assistance of the police a detachment of troops from the neighbouring cantonments. Their services were not needed, as the people quietly dispersed; but on the same day a solemn engagement was taken by all the inhabitants to carry on no manner of work or business until the tax was repealed. Everything was at a stand: the dead bodies were cast unceremoniously into the river, because there were none to

¹ Reg. xv. 1810.

perform the obsequial rites; and the very thieves refrained from the exercise of their vocation, although the shops and houses were left without protection, — the people deserting the city in a body, and taking up their station halfway between Benares and Secrole, the residence of the European functionaries, about three miles distant. A petition was presented to the magistrate, praying him to withdraw the odious impost, and declaring that the petitioners would never return to their homes until their application was complied with: a reference to Calcutta was all that was in the magistrate's power.

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Whilst awaiting for a reply from the Government, the people of Benares continued assembled, and were joined by many persons from the surrounding districts: the number was computed at more than two hundred thousand, comprehending the aged and infirm, women and children. They were supplied with food regularly at the expense of the opulent classes, and were actively enjoined to unanimity and perseverance by their religious guides and teachers. Their conduct was uniformly peaceable; passive resistance was the only weapon to which they trusted. They continued in the open air throughout the day, but many returned at night to their homes.

In this manner about a fortnight passed.¹ The Government somewhat misconceiving the character of the assemblage, and at any rate deeming it impolitic to yield to any semblance of intimidation, ordered the enforcement of the tax, and the dispersion of the multitude, if necessary, by force. A sufficient strength had been collected for the pur-

¹ From the 26th December, 1810, to the 8th January, 1811.

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pose; but, before the receipt of the orders, time, reflexion, and discomfort had enfeebled the vigour of the opposition, and the people had for the most part returned to their dwellings. The determination of the Government caused them to reassemble, with the avowed determination of marching in a body to Calcutta to petition the Governor-General personally for redress; but this was a much more arduous undertaking than a bivouac in the immediate vicinity of Benares, and could not be prosecuted with the same unity of purpose. Every householder engaged, indeed, either to go himself, to send a representative, or contribute his quota to the expense of the journey; and a number of persons met, and made one march towards Calcutta: but the defaulters were so numerous, and so many of those who had set out deserted by the way, that the leaders were sensible of the futility of the scheme, and wanted only a decent excuse for its relinquishment. This was furnished by the interposition of the Raja of Benares, who, at the desire of the Government officers, repaired to the party, overtook them, and counselled them to turn back, and rest contented with the renewed representation of their grievances through the usual official channel in a quiet and respectful manner. His advice was followed, and a second petition was presented, to which in due time attention was paid.¹

¹ Personal information and MS. Records. The public petitions proceeding from native communities in India which are much intermixed with Europeans are rarely of a genuine native character. They betray more or less European, and particularly professional, prompting. At Benares there were few Europeans, no lawyers; and the petition of the inhabitants was most probably of their own unaided dictation. It is a document not without interest, as it not only expresses the sentiments of the people on the

In consequence of this opposition, and the universal unpopularity of the tax, it was repealed.¹ In the following year it was revived in a modified form, and limited in its application to the cities of Dacca, Patna, and Murshedabad. In those towns it was to be applied to the payment of a municipal police, to be appointed and maintained by a committee of natives chosen by the inhabitants of each ward in the presence of the magistrate: to these committees also was intrusted the office of assessing the different shops and dwellings of their respective wards, the whole not to exceed a maximum average rate.² Some opposition was made to the arrangement at Dacca, but it was finally carried into operation.

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Although not connected with any of the financial measures of the Government of Bengal, nor resulting from any of its acts, yet it may be useful to advert in this place to a formidable tumult by which the tranquillity of the city of Benares was interrupted in the year preceding that in which the house-tax excited the discontent of its inhabitants; as the disturbance was characteristically illustrative of the peculiarities of one of the most remarkable towns in India, and of the discordant elements of Indian society, which are alone restrained from frequent and destructive conflict by the vigilance, vigour, and impartiality of the ruling power.

Benares is *the* holy city of the Hindus: it is

occasion on which it was presented, but shows that they were well informed of the proceedings and views of their rulers. It is therefore given in the Appendix.

¹ Reg. vii. 1812.

² Reg. xiii. 1813.

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crowded with celebrated shrines : pilgrimage to it is an atonement for all sin : to die within its precincts is a certain passage to eternal felicity. Such advantages ensure it a large resident population, and attract to it a numerous resort of Hindu pilgrims. The character of both classes is in general accordance with the reputed sanctity of the place : its efficacy in expiating crime, and purifying from iniquity, could be of little benefit to any but the wicked and the profligate, and those who tenant or frequent the city are for the greater part such as stand most in need of its expiatory virtues. The population is, however, not wholly Hindu. Benares is a town of extensive commercial and manufacturing activity, and has always comprised a considerable body of Mohammedans engaged principally in manufactures. Its convenient situation had also, at the period under review, recommended it as the residence of several Mohammedans of high rank, members of the reigning family of Oude, or the Imperial house of Delhi ; and their servants and retainers were numerous and disorderly. Religious differences could not fail to find in such a mixed multitude ready instruments of quarrel, and the mutual animosity which at all times animated the followers of Brahmá and Mohammed was at this time more than usually inveterate. It had unfortunately happened that some of the moveable feasts of the Mohammedans had occurred simultaneously with some of the most popular Hindu festivals ; and the multitudes which were collected, and the feelings which were excited, threatened a violent collision. The precautions of the English functionaries suspended the season of

its occurrence, but were unable to prevent it from eventually taking place, and towards the close of 1809 an open rupture could no longer be delayed.

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During the sovereignty of the Mohammedans, Aurangzeb and other bigoted princes had forcibly taken from the Hindus of Benares several of their temples to transform them into mosques, and had allowed and encouraged the Mohammedans of the city to erect religious edifices in the immediate neighbourhood of those places which were esteemed most sacred by the Hindus. In this manner, in one part of the city an Imam-bara, a building for the occasional devotions of the Musselmans, was built in immediate proximity to a Lât or stone column typical of Bhairava, one of their subordinate deities, but held by the Hindus in peculiar veneration. As the Lât and its neighbour were both much frequented by the followers of the different religions, their encounters gave frequent rise to angry feeling and reciprocal objurgation. On the morning of the 21st of October, a number of both parties having been assembled, they proceeded from abuse to blows; and, in an interchange of missiles which ensued, part of the ornamental architecture of the Imam-bara was injured, and a hut serving as a temporary temple to the deified monkey Hanumán was demolished, and the idol was knocked over. The intervention of the police prevented further mischief on the spot; but the affray was renewed in another part of the town, and, swords and clubs being had recourse to, several persons were killed or wounded before the disturbance could be suppressed.

The presence of the magistrate and a small de-

BOOK I. tachment of Sipahis restored the appearance of
CHAP. VII. tranquillity; but they were no sooner withdrawn

1813. than the tumult recommenced. The Mohammedan weavers assembled in the evening in great numbers, and, repairing quietly to the Hindu Lât, heaped a quantity of combustibles round it and set them on fire, and, when the stone was hot, threw cold water upon it, by which it was split to pieces.¹ Intelligence of this profanation reached the Hindus late in the evening, and filled them with horror and fury. Measures were taken to prevent the effects of their resentment on the following morning; but, before a sufficient force could arrive, an enraged multitude had set fire to the Imam-bara, killed four or five of the persons attached to it, and sprinkled with the blood of a hog the tombs of those who had been interred in its consecrated vicinity. From thence they moved to destroy the Mohammedan tombs at a burial-ground of reputed extraordinary sanctity, adjacent to a shrine dedicated to Fatima the wife of Ali; and, although defended by a Sipahi guard and a number of Mohammedans, the mob partly effected their purpose before reinforcements arrived in sufficient strength to render their attempts unavailing. Other armed bands of Hindus had at the same time assailed the quarters of the town occupied chiefly by the Mohammedans, murdering all

¹ In the memorial addressed by the Hindus to the magistrate, extenuating their own conduct and calling for redress against the Mohammedans, they gravely averred that the Lât resisted every effort for its demolition, until the Mohammedans killed a cow and a calf, and threw the blood upon the column. It then trembled and broke. Some of the fragments were afterwards collected, purified by immersion in the Ganges, and enshrined in a hollow copper cylinder which was set up where the stone column formerly stood.

who came in their way, and plundering and setting fire to their houses, until their excesses were arrested by the military dispositions which the magistrate and the commander of the troops were able to effect. The Sipahis, although of both persuasions, discharged their duties with perfect impartiality and military steadiness: the police, equally mixed, had early taken part in the conflict according to their respective creeds. The extent of the mischief inflicted, or of the loss of life, was imperfectly ascertained; but the disturbance was not suppressed until about twenty Mohammedans had been killed and seventy wounded. The principal actors in the tumult were the Rajputs and Gosains: the Brahmans and principal inhabitants sat fasting upon the steps by the river-side, night and day, during the continuance of the disorder, and were with some difficulty prevailed upon to return to their dwellings on the afternoon of the 23rd. On the following day the temples which had been closed were reopened, and this event was followed by the opening of the shops and the bazars, and the restoration of tranquillity. Some of the most active and violent of the ringleaders were apprehended and punished, and arrangements were adopted to prevent the recurrence of a like popular commotion. The resort of persons of all descriptions from every part of India, and the dissolute and riotous conduct of a large proportion of its inhabitants or visitors, rendered the maintenance of order and tranquillity in the sacred city of Benares, for some time at least, a troublesome and imperfectly accomplished task; but the unrelaxing firmness of British rule, a better knowledge of the

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British character, and the improving intelligence of the people, gradually lightened the labour, and, ten years after the transactions described, Benares was regulated with as much facility as any other city in the territories of the Company.¹

Among the various objects of internal administration at this season which deserve notice as marking the first steps of important changes still in progress, and likely at some future period to exercise a momentous influence upon the destiny of the British Indian empire, must be comprehended the efforts which were made in Bengal to promulgate the truths of Christianity. The South of India had for many years been the field of missionary labours. In the beginning of the seventeenth century the church of Rome had sent thither men of extraordinary ability and energy, who, by completely discarding all the indulgences of European civilisation, living among the natives as natives, applying themselves with intense diligence to the study of the languages and literature of the country, and acquiring a mastery over the vernacular dialects which has perpetuated the writings of several European authors as standard Tamil and Telugu compositions, obtained a widely extended influence over the people, and formed a numerous body of professed believers in Christianity.² The political agitations of Europe

¹ In 1820 the writer was in the habit of traversing every part of Benares without fear of molestation or insult. The materials for the beautiful map of Benares, executed not long afterwards by his lamented friend, Mr. James Prinsep, were collected by him in the city, in fearless reliance upon the good disposition of the people, which he invariably experienced.

² *Lettres Edifiantes*; *Asiatic Researches*, vol. xiv.; Hough's *Christianity in India*, ii. 400. See also his evidence, Commons' Committee, 1832, Public. He estimates the Roman Catholics in 1823 at between three and four hundred thousand.—Question 1852.

severed the teachers from their congregations, and the latter remained Christians in little except the name. To the Jesuit missionaries succeeded those of the Lutheran church: they were sent to India, in the first instance, not by Great Britain, but by Denmark;¹ but the example was not lost upon the former, although it was for some time but feebly imitated. Some pecuniary assistance was granted to the Danish mission; and at last missionaries were sent direct, at the expense of the Society for promoting Christian Knowledge. One or two individuals found their way to Bengal,² and instituted missionary operations there; but the chief field was long confined to Madras, and other stations on the Coromandel coast. The persons employed were natives either of Denmark or Germany. They were for the most part men of learning and talent, of simple habits, and kindly temperaments; and, although their success in the conversion of the heathen was not very encouraging, they were objects of general esteem and respect to both natives and Europeans, and wrought an impression favourable to the ultimate reception of the doctrines which they taught.

At length, at the close of the eighteenth century,

¹ Pearson's *Life of Swartz*, i. 12.

² A Mr. Kiernander went from Madras in 1758, and, notwithstanding many difficulties and discouragements, he laboured there for some years with exemplary piety and diligence, and with considerable success.—*Life of Swartz*, i. 126. It was to him that Dr. Buchanan probably alluded when he stated that the Protestant mission in Bengal commenced in 1758. Before 1770, religious tracts were translated into the Bengali language; and Hindu converts preached to their countrymen in the time of Hastings, in the town of Calcutta. This mission continued its labours till about the year 1790, when the supply of missionaries from Europe failed.—Letter to the Government of Bengal, printed in Parliamentary Papers, 14th April, 1813.

BOOK I. a private individual, a member of the Baptist com-
CHAP. VII. munion, with zeal as fervent as that of the Ger-

1813. man missionaries of the South, and inferior to them only in a less scholastic education, William Carey, the son of the master of a small free-school at Paulerspury, a village in Northamptonshire, by trade a shoemaker, and subsequently a preacher in the chapels of the society of which he was a member, early conceived the project of undertaking a mission to Bengal; and, in the face of the most disheartening difficulties, succeeded in its execution. Being unable to obtain permission to proceed to India in a Company's vessel, he procured a passage in a Danish ship, and arrived in Bengal destitute of money and friends at the end of 1793. After a short interval of want and anxiety, he obtained employment as superintendent of an indigo factory in Dinajpur, and remained in that situation for some years; pursuing, as far as circumstances permitted, his missionary calling, labouring assiduously in the study of the Sanscrit and Bengali languages, and applying his acquirements to the translation into them of the Holy Scriptures. The sufferance of the Government permitted his unauthorised residence in the country, averse as was the policy of the day to the admission of Europeans; and his diligence, his learning, and piety secured him friends. His communications with his correspondents in England, the prospects of success which his hopes rather than his experience dictated, and the example of his ardour and his perseverance, animated their zeal; and a society was formed, and funds were raised, for the purpose of sending other missionaries to his assistance.

They arrived in 1799 ; but, having come to Bengal without the licence of the Court, were not suffered to remain in Calcutta. The Danish settlement of Serampore offered them an asylum ; and there they fixed themselves, with the permission of the Governor, and subsequently with the express sanction of the King of Denmark. They were immediately joined by Mr. Carey, and a fraternity was organised which set to work upon a definite system ; and by preaching in the native languages, by forming schools for native children, by the composition of tracts and translations of the Scriptures, commenced a pious warfare against the false doctrines of the Mohammedan and Hindu religions, which has been carried on ever since with unrelaxed vigour, and with improving prospects of eventual triumph.¹

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The administration of Lord Wellesley, although it avoided giving direct encouragement to the Baptist missionaries, or recognising them in that capacity, was upon the whole propitious to their exertions. The learning of their principal was one of their chief recommendations to the favour of the Marquis, and Mr. Carey was appointed one of the professors of the College of Fort William soon after its institution ; thus obtaining a place of distinction in the recognition of the Government, and a certain and liberal means of subsistence. The establishment of schools for European children, and of a printing-press and paper-manufactory at Serampore, evinced the industry, and added to the resources of the missionaries: they were further aided, not only by the funds of their own community, but

¹ Memoir of William Carey, D.D., by Eustace Carey ; London, 1836.

BOOK I. by those of other religious bodies, at whose expense,
 CHAP. VII. especially at that of the British and Foreign Bible
 1813. Society, versions of the Scriptures into a great variety of the Indian dialects were executed; and they grew daily in wealth, consideration, and confidence under the countenance of the Government.

The immediate successor of Lord Wellesley, Sir George Barlow, looked upon the proceedings of the Serampore missionaries with a less favourable regard. Entertaining, in common with most of the Company's servants of that day, a dread of the multiplication of uncovenanted European residents in India, he was disinclined to relax any of the restraints which the Legislature had imposed, and refused to sanction the continued presence of any new arrivals who had not provided themselves with a licence from the Court. The teaching of the missionaries had also begun to excite some uneasiness among the natives of Calcutta, and the connexion of the mutiny at Vellore with their religious apprehensions imposed upon the Government the obligation of setting the minds of their native subjects at ease with respect to the designs of their rulers, by the public prohibition of those expedients resorted to by the missionaries which were most likely to offend the religious sentiments and exasperate the feelings of the people.¹ The missionaries were allowed to retain the dwelling which they occupied as a chapel in Calcutta, and perform divine service in it in the Bengali language

¹ Dr. Buchanan acquits the Governor-General of any hostility to the dissemination of Christianity: on the contrary, he says of him, "Sir G. Barlow has often expressed his approbation of the means used for the diffusion of Christianity in India, and sincerely desires its success."—Letter to Government; Parl. Papers.

as usual, and no restriction was imposed on their private instructions or scriptural translations; but they were forbidden to preach in the public streets, to send itinerant native preachers through the villages, or to distribute gratuitously controversial and religious tracts. They considered it prudent to yield to the storm, and promised to conform to the wishes of the Government in all respects in which they could conscientiously acquiesce.¹

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The degree of the conformity rendered did not, however, satisfy the Government of Bengal; as one of the first acts of Lord Minto's Government was a renewal of the injunctions which Sir G. Barlow had been obliged to adopt, and the menace of still more rigorous restrictions.

Pamphlets in Bengali and Persian had been published, which, in the judgment of the Governor-General in Council, were calculated to excite among the native subjects of the Company a spirit of religious jealousy and alarm, which might eventually be productive of the most serious evils. The distribution of such publications, and the public preaching of the missionaries and their converts at the very seat of Government, might be supposed to have received the sanction and approval of the supreme authority; and the prevalence of such an impression would both augment the danger, and render more difficult the application of a remedy. Whatever might be the propriety of exposing the errors of the Hindu or Musselman religion to persons of those persuasions who sought instruction in the Christian faith, it was contrary to the system of protection,

¹ Memoir of Dr. Carey, 483.

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which the Government was pledged to afford to the undisturbed exercise of the religion of the country, to obtrude upon the great body of the people, by means of printed works, exhortations involving an interference with their religious tenets. The obligation, therefore, to suppress within the limits of the Company's authority in India treatises and public preachings offensive to the religious persuasions of the people, was founded on considerations of necessary caution, of general safety, and national faith and honour. Accordingly, it was deemed necessary to direct that public preaching in the mission-house of Calcutta should be discontinued, and to renew the prohibition of the issue of religious tracts; and, in order to bring the missionary press more immediately under the controul of the officers of the Government, the missionaries were commanded to remove it from Serampore to Calcutta.¹

To the orders and injunctions of the Government the missionaries proffered a temperate and judicious reply. They disowned and condemned the language of a pamphlet which had given the greatest offence,—a scurrilous account of Mohammed, which had called forth the remonstrances of the most respectable Mohammedan inhabitants of Calcutta,—and attributed it to the intemperance of one of their converts, who had translated it into Persian: they pledged themselves for greater caution in future, but deprecated the removal of their press, as subjecting them to great inconvenience and ruinous expense. The tone of their representations disarmed

¹ Letter from Bengal to the Secret Committee, 2nd Nov. 1807, with its enclosures; Parl. Papers, 14th April, 1813.

the Government of its rigour; and they were allowed to continue their preaching in their chapel, and to remain at Serampore, on condition that every work that issued from the press should be submitted to the inspection of the secretary to Government. The condition was acceded to; and, as the general conduct of the missionaries was more guarded, no further interference with them ensued. The alarm of the Government was perhaps more violent than the occasion called for, but the check opposed to precipitate and indiscreet zeal was not detrimental to the ultimate extension of Christianity. Little benefit had accrued or was likely to accrue from street preaching, and virulent language was ill calculated to convey conviction. The attention of the Serampore missionaries was thenceforth more entirely given to the establishment of schools and the translation of the Scriptures; means more safe and certain, although their fruits might more slowly come to maturity.¹

Although a sense of public duty imposed upon the Governor-General the obligation of checking the over-zealous haste of the missionaries of Serampore, his personal feelings ensured to their literary efforts his constant and warmest encouragement. The associate in early life of some of the most distinguished ornaments of the literary society of Great Britain, Lord Minto brought with him to India an enlightened and cultivated taste, and a generous

¹ In the representation to the Government made by the missionaries, which is dated in September, 1807, they state that they had baptized upwards of one hundred natives.—Parl. Papers. No great number in eight years, reckoning from 1799 only: if from 1794, a still more inconsiderable proportion.

BOOK I. sympathy with every indication of intellectual excellence. His liberal aid was therefore given to
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the works published at Serampore, whether translations of the Scriptures, or publications tending to make the language and literature of India more generally known and more easily acquired.¹ The same feelings led him to befriend those natives of India who professed the literature of their country; and the first printing-press, established and conducted solely by native enterprise and skill, and for the purpose of substituting the productions of the press for the manuscripts hitherto in use, owed its existence to his patronage. But it was in his connexion with the College of Fort William that his sentiments were most especially manifested; and one great object of his administration was to carry into full operation, as far as the orders of the home authorities allowed, the views of the illustrious founder of the institution.² The result was highly beneficial: the junior servants of the Company were animated to honourable exertions, which formed the foundation of their future distinction; their seniors were induced to apply their knowledge and acquirements to the instruction of their younger brethren; and a number of natives of talent, exer-

¹ Several Grammars and Dictionaries, and other rudimental books, in Bengali, Telinga, Mahratta, and Sanscrit, were printed at Serampore, chiefly at the cost of the Government. Pecuniary assistance (ten thousand rupees) was afforded to the Malay translation of the Scriptures; and aid was liberally given to the Serampore translation of the Ramayana, the works of Confucius, and other literary publications.—Roebuck's *Annals of the College of Fort William*.

² It was not mere official phraseology, for Lord Minto was not addicted to its use, when in his last annual address he observed, "No part of my public duties have excited in my mind a more cordial concern or more lively interest than those which are attached to the office of Visitor of this College."—*Annals of the College of Fort William*, p. 376.

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cising over their countrymen the combined influence of learning and religion, who were engaged in the service of the college, derived from their employment some compensation for that neglect to which the decay and extinction of native patrons of rank had subjected them, and learned to identify their interests with those of a foreign and intrusive race. To them, and to their European associates, were owing a variety of useful works in the languages and literature of the East, intended to facilitate their acquirement, and bring within the reach of the Oriental student the means of becoming familiar with the laws and institutions, the religion and the character, of the people. Every attempt so directed was encouraged and aided by Lord Minto.¹

The last class of measures to which we shall advert, regard the financial condition of India during Lord Minto's administration.

The necessity of as rigid a pursuance of the system of economy commenced by Sir G. Barlow as was consistent with the interests and honour of the empire was equally impressed upon his successor; and during the whole term of his government a careful avoidance of expenditure was adhered to, carried in some cases perhaps to a hurtful excess. The occasions which called for military demonstrations, the extraordinary embassies which were fitted out, and

¹ Amongst other arrangements, a plan was proposed by the Governor-General for the foundation of Hindu colleges at Nadiya and Tirhoot, to counteract the want of public encouragement afforded to native literature by princes, chieftains, and opulent individuals under the native Governments, and who had lost both the means and the inducement to continue their patronage under the British Government. He had also in contemplation to found similar institutions for the cultivation of Mohammedan literature.—Minute by Lord Minto, 6th March, 1811: Commons' Committee, 1832; Public; App. p. 325.

BOOK I. the expeditions undertaken against the maritime
 CHAP. VII. possessions of France, disturbed the equable tenor
 1813. of financial retrenchment, and involved unusual demands upon the public treasury: but these interruptions were only temporary; and the general result was an augmented amount of the revenues of British India, a diminution of its burthens, and no enhanced rate of charge.

It has been already mentioned that the arrangements effected by Sir G. Barlow secured for the first year of Lord Minto's administration, according to one system of computation, a surplus receipt, or, according to a different set of accounts, reduced the excess of charge to an inconsiderable sum: the same diversity of result, arising from the same cause, prevails in the following year; but from thence to the close of the period both statements agree in showing a considerable net local revenue after providing for the interest of the public debt: the surplus of the last year amounted to little less than two millions sterling.¹ A considerable proportion of this arose from the improved revenues of the unsettled provinces under the Presidency of Bengal, and the imposition of new taxes at Madras: the rest, from the reduction of the rate of interest which the Government was enabled, by the flourishing state of its finances, to effect.

The history of the Indian debt presents a singular picture of the growth of public credit along

¹ According to the statements furnished to the Committee of the House of Lords, the surplus was £1,988,000. In Sicca rupees it was S. R. 1,45,33,190, which, at two shillings to the rupee, is £1,453,319. For a more particular comparison between the two periods as expressed in the home accounts, see Appendix.

with the increase of financial embarrassment, and of the increase of embarrassment with the augmentation of the public resources. In proportion as the British Indian empire has extended its boundaries, and added to its revenues, so have the means at its command been found inadequate to extraordinary emergencies, and it has been obliged from time to time to apply for aid to the funds of individuals; and, notwithstanding the additions thus made to its incumbrances, its credit has never failed to procure the assistance that was needed, on terms much lower than the ordinary profits of capital, or the rates of interest prevailing in transactions between individuals. In fact, the amount of the public debt is far from burthensome on the state; and the inconvenience which it occasions is fully compensated by the connexion which it maintains between the Government and the fundholders, a large proportion of whom are natives of the country, and who are thus interested in the stability of the ruling power.¹

In 1792 the Indian debt, bearing interest, little exceeded seven millions sterling: the interest exceeded six hundred thousand pounds, bearing a proportion of eight and six tenths per cent.² In 1799 the debt had risen to ten millions; and in the short interval of five years, the season of Lord Wellesley's conquests, it was more than doubled, amounting in 1805 to nearly twenty-one millions, with an annual

¹ Calcutta Annual Register, 1821; Historical Sketch, 18.

² This was the average rate. Loans opened in 1790-1, 1796-7, and 1798-9, bore twelve per cent.—Government Notices; Bengal and Agra Gazetteer, 1841, vol. ii. part ii. 459.

BOOK 1. interest of £1,791,000. During the two following
 CHAP. VII. years the continued effects of the previous period of

1813. prodigality were still felt, and the debt went on increasing; so that in 1807 it amounted to more than twenty-six millions, bearing an interest of £2,228,000. In 1813-14 the amount of debt remained much the same, being twenty-seven millions; but the interest amounted to £1,636,000, being a permanent diminution annually of £592,000.¹ This was effected by the successful opening of loans in August and December, 1810, at an interest of six per cent., to which the whole of the outstanding obligations were transferred; the capital of British India, and the credit of the Government, having thus gone on improving, so that in about twenty years the rate of interest on public securities was reduced from twelve per cent. to half that proportion.

Another important change followed the flourishing state of the finances, and the payment in England of the principal as well as of the interest of loans contracted in India ceased to form one of their conditions. When this provision was first introduced, it was thought likely to lead to the transfer of the whole of the Indian debt to Europe, where it might either be discharged out of the profits of the Company's trade, or by money borrowed at a much lower rate of interest. For these purposes the Indian Government of 1785 was au-

¹ Second Report, Commons' Committee, 1810, App. 8. It must be borne in mind that these sums are higher by one-seventh than they should be, according to the intrinsic value of the Indian currencies. The real debt of 1806-7, in Sicca rupees, was 23,15,30,125, say £23,153,000; and the amount of interest, Sa. rs. 1,97,13,929, or £1,971,000.—Official Documents; Lords' Committee, 1830, App. C. No. 3.

thorised to grant bills at eighteen months' date on the Court of Directors, for the principal of the debt then owing, to the extent of six crores of rupees, at the exchange of 1s. 8d. the current rupee, at the option of the lenders; and in the first year they took advantage of it to the extent of about a fourth of the principal sum. In the following year the amount applied for was so trifling, that the arrangement was looked upon as a failure; a result ascribed by the Government to the low rate of exchange, the remote date at which the bills were payable, the advantages made in India by holding Government securities, and the more advantageous means of remittance through foreign channels.

On the renewal of the charter in 1793 the principle of the plan was recognised, and it was provided that the Indian debt should be in this manner gradually transferred to England, until it was reduced to two millions sterling, the exchange being fixed at 1s. 11d. the current rupee. For some time the amount transferred reached the prescribed limit of the bills to be drawn, or £500,000; but it ultimately diminished, and in 1803-4 ceased altogether. The demand for funds in India, the existence of profitable means of remittance by the extension of the private trade, and the conditions of new loans granting for the interest, bills at 2s. 6d. the Sicca rupee, payable six months after sight, and ensuring similar payment of the principal when due, held out inducements even to the European fundholders to leave their capital in the Indian treasury. With the return of peace in India capital was less in demand there; while the political state of Europe,

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BOOK I. the high price of bullion, and the depression of the
 CHAP. VII. public funds, rendered its transmission to England
 1813. highly advantageous. The consequence was a run
 upon the home treasury, which was productive of
 much embarrassment; and the pressure was ag-
 gravated temporarily by the measures adopted under
 the orders of the Court for its relief,—the reso-
 lution of the local Governments to pay off all the
 debts the principal of which was demandable in
 England, in the event of the lenders declining to
 transfer the security to a new loan opened in 1810,
 which offered no such condition. The arrangement
 was so far successful that of twenty-three millions,
 to which the home treasury was liable, more than
 thirteen were transferred to the new loan; rather
 more than three were paid in cash by the local Go-
 vernments; and six millions and a half remained to
 be discharged by bills upon the Court. It was for
 the purpose of meeting this demand that the Com-
 pany had recourse to Parliament for aid. The incon-
 venience was gradually surmounted; and, although
 in 1812 under the terms of a new six per cent. loan
 the option of demanding payment of the principal
 by bills on England was partially restored, the
 home funds were not again exposed to so severe a
 demand.¹

Nor had the resources at home been subjected to
 these heavy demands without corresponding efforts
 having been made in India to provide for them.

¹ Petition of the Company to Parliament; Second Report of the Com-
 mittee of the House of Commons, May 1810, App. 6-10; Bengal and Agra
 Gazetteer, 1841, vol. ii. part ii. 454; Details of Public Loans; Report of
 the Commons' Committee, 1832, article Finance.

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During the three concluding years of Lord Minto's administration, the supplies remitted from India exceeded the value of the Company's investments to the extent of nearly ten millions sterling.¹ Of the amount so remitted nearly two millions were in bullion;² a circumstance which was unprecedented in the history of the commerce of India, and intimated an approaching change in the terms of its intercourse with Europe. The transaction was also of peculiar importance at the season of its occurrence: the movements of the vast armies which were working out the deliverance of Europe from military despotism depended in a great measure upon the wealth of England. The occasion called for and deserved the application of all her resources; and, although bearing but a small proportion to the extent of her efforts, the treasuries of her Indian empire furnished a not inconsiderable nor unimportant contribution.³

The close of Lord Minto's honourable and successful labours was now approaching. The influence

¹ Excess of supply to London :

in 1811-12	Sa. rs. 3,46,49,832 at 2s. 6d.	£4,331,229
1812-13	2,71,49,075	3,393,634
1813-14	1,60,00,000	2,000,000
		£9,724,863

—Financial Letter from Bengal; Papers relating to Finances of India, printed by order of the Court of Proprietors, March, 1824, p. 18.

² Bullion remitted to England :

in 1811-12	Sa. rs. 40,42,407 at 2s. 6d.	£ 505,301
1812-13	85,44,983	1,068,123
1813-14	22,82,359	285,295
		£1,858,719

As the price of bullion was high in England, the remittances realised more than even the exchange value.

³ Alison's History of Europe, viii. 63, ix. 701.

BOOK I. of party spirit, so long suspended, was at length
CHAP. VII. allowed to operate; and the continuance in office of
1813. an administration based upon principles opposed to
those of the ministers by whom the Governor-General
had been nominated was found incompatible
with the longer duration of his power. Circum-
stances had also imposed upon the ministers the
duty of conferring office upon another distinguished
personage; and the endeavours of the Earl of Moira
to carry into effect the wishes of the Prince Re-
gent for the formation of a ministry which should
connect the actual servants of the Crown with his
early friends, however unsuccessful, entitled him
to the consideration both of the Prince and of his
advisers. It was consequently proposed to reward
his exertions by his appointment to the govern-
ment of India, and to make way for him by the
removal of the Governor-General. A resolution
was accordingly moved by the Chairman, under the
dictation no doubt of the Board of Controul, that
Lord Minto should be recalled. No reason for the
measure was assigned; but it was adopted in oppo-
sition to the tenor of a letter received from Lord
Minto's friends, expressing his wish to be relieved
in January 1814. This letter was assigned as the
reason for the immediate appointment of Earl
Moira; but, as objected by one of the opponents of
the arrangement, Mr. Charles Grant, the plea was
delusive, as no one could pretend to assign it as a
sufficient reason for proceeding to the choice of a
Governor-General in November 1811, whose pre-
sence at Fort William could only be necessary in
January 1814. On the same occasion it was deter-

mined to supersede Sir George Nugent as Commander-in-chief, Lord Moira uniting both the civil and supreme authority; and not only to rescind the conditional appointment of Sir G. Barlow as Governor-General, but to remove him from the government of Fort St. George. These several measures were made the subject of strong protests by several leading members of the Direction;¹ but the objections were overruled by the predominating spirit of ministerial obligations, and the change took place. Earl Moira was appointed Governor-General of India and Commander-in-chief; and General Abercromby, the commander of the forces at Fort St. George, was nominated for a time Governor of Madras. Lord Minto survived but a short time his return to his native country; he died in the course of the same year. Few Governors-General have stronger claims upon the gratitude of those over whom or for whom they ruled. No one ever more conscientiously or disinterestedly laboured for the happiness of the people of India, for the prosperity of the East India Company, or the honour and advantage of Great Britain. Other administrations may have been signalised by more stirring events and more splendid triumphs; but British India never enjoyed a more healthy and contented condition, never made a more sure and steady though an unpretending advance in social improvement, than during the government of Lord Minto.

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¹ See Dissents of Edward Parry, W. Astell, George Smith, and John Bebb, Esqrs., 20th Dec.; and separate Dissent of Mr. Charles Grant, 30th Dec. 1812: published by Sir Robert Barlow, 1813.

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The term of Lord Minto's government was coeval with a material change in the character of the superior authorities under whom the power of himself and his predecessors had been immediately held. The East India Company ceased to retain the monopoly of the East India trade. The circumstances which led to this event we shall now proceed to detail.

CHAPTER VIII.

Embarrassed finances of the Company.—Application to Parliament for assistance.—A Loan granted.—Inquiry into abuse of patronage.—Renewal of the Charter.—Previous Correspondence with the Board.—Demands of the Court.—Propositions of Mr. Dundas—objections of the Court—communication suspended—revived.—Determination of Ministers to open the Trade with India resisted, but finally acceded to by the Company.—Claims of the Outports.—Change of the Ministry.—Lord Buckinghamshire President of the Board.—Consequences of delay.—Resistance to the claims of the Outports.—Appeal to Parliament.—Resolutions proposed by Lord Castlereagh in the House of Commons; by Lord Buckinghamshire in the House of Lords.—Application of the Company to be heard by counsel granted.—Questions at issue—political—commercial.—Trade with India and with China, peculiarities of

the latter—secured to the Company.—Struggle for the Trade with India.—Arguments of the Company—of the Merchants.—Company consent to take off restrictions from the Export, not from the Import trade.—Financial and political evils anticipated and denied—attempt to substantiate them by evidence.—Opinions of Warren Hastings and others respecting the unrestricted admission of Europeans—extension of Trade—independent resort of Missionaries, &c.—Debates in the House of Commons—first and second Resolution carried—debate on the third.—Debates on the Report of the Committee.—Thirteenth Resolution adjourned—debate on it resumed—carried.—Other clauses suggested.—Bill finally passed in the Commons.—Debates in the House of Lords—previous discussions—Bill passed.—Proceedings in the Court of Proprietors.—Charter accepted.—Remarks.

THE appointment of a Select Committee of the House of Commons in 1808 to inquire into the state of the affairs of the East India Company has already been adverted to; as have the measures which, in compliance with their recommendation, were adopted by the Parliament for the relief of the financial embarrassments of the Company, by the discharge of a portion of the debt due to them by the public. The Committee continued, with occasional modifications, to sit through the four succeeding years, and presented to the House in that period different reports, which were drawn up with remarkable diligence and ability, and furnished a mass of authentic information upon every im-

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BOOK I. important subject relating to the internal administra-
CHAP. VIII. tion of the Indian empire.

1813. The relief afforded to the Company in 1808 by the sum of £1,500,000 received from the Government, together with more than usually favourable sales of merchandise, enabled the Court of Directors to provide for the wants of that and the following year without requiring further assistance. This state of prosperity was of no long duration, and in the beginning of the session of 1810 the Company were again obliged to apply to Parliament for pecuniary aid.¹ A deficit of two millions was anticipated in the receipts of the year ending March, 1811, as compared with the receipts; arising from the excessive and unexampled drafts made upon the Court, amounting to nearly five millions, from India, in discharge of the Indian debt, and from the unexpected losses sustained in the Company's shipping; many of their vessels having, in the course of the last two years, been taken by the enemy, or perished at sea. As the state of the money market rendered it unadvisable to increase the Company's capital stock, as empowered by law, the Court applied to the House for such aid as it should see fit to grant, the property of the Company being offered as ample security for the repayment of a loan from the public. The petition was referred to the Committee, by whom the correctness of its purport was confirmed.²

¹ See petition of the East India Company for relief; *Parl. Debates*, 13th April, 1810.

² In the years 1808-9 and 1809-10, fourteen large vessels, chartered by or belonging to the Company, were captured or were lost at sea: their cargoes alone were valued at more than a million sterling.—*First Report, Commons' Committee*, 1830, App. iv.

³ Report from Select Committee, ordered to be printed 11th May, 1810

Shortly afterwards, a second petition was presented,¹ praying for a further settlement of the amount due by the public to the Company: it was also referred to the Committee, but does not seem to have been made the subject of any special report. The time was unpropitious to the Company's applications, as the Government was straining the resources of the country to the utmost to provide for the magnitude of the national expenditure, and was floundering amidst the intricacies of the Bullion question. The urgency of the case, and the vital importance of maintaining unimpaired every form of public credit, gave irresistible weight to the appeal; and, after some discussions, a bill was passed on the 14th of June, 1811, for a loan of one million and a half to the Company.² In the following year the Company petitioned the House of Commons for permission to raise two millions upon bond; and a bill was brought in for the purpose, which, after some slight opposition, was passed. In June, 1812, a second application for a loan of two millions and a half was made to the House of Commons, and, although strenuously opposed by Mr. Creevy, complied with.³

Transactions affecting the moral credit of the Court of Directors had also, shortly before this period, been brought under the consideration of Parliament, and an alleged abuse of patronage was made the subject of inquiry. It was brought forward by the members of the Court themselves, in consequence of a report having prevailed that ap-

¹ Parl. Debates, 14th May, 1810.

² Parl. Debates, 10th May, 1811.

³ Parl. Debates, 9th and 15th June, and 3rd and 7th July, 1812.

BOOK I. pointments in the service of the Company in India
CHAP. VIII. had been sold. On the 10th February, 1809, it

1813.

was moved by Mr. Smith, seconded by Mr. Grant, that a Committee of the House of Commons should be nominated to inquire into the existence of any corrupt practices in the distribution of the patronage of the Court of Directors. A Committee was accordingly appointed, which, in the course of a few weeks, reported the result of the investigation. The report exonerated the members of the Court from any imputation of a violation of the oath by which they were solemnly pledged, neither directly nor indirectly to accept any pecuniary consideration whatever on account of the appointment or nomination of any person or persons to any place or office in the service of the Company:¹ but it appeared in evidence that the persons to whom they had given appointments had, in some instances, sold them to third parties; and that a traffic had been carried on for situations in their India service without their participation or knowledge.² Three civil and twenty military appointments were traced as having been sold. The obtaining of such situations by purchase being prohibited under penalty of their forfeiture, the appointments were cancelled; but, as the punishment fell heaviest on those who were not the offending parties,—the young men holding the appointments,—much sympathy was excited for their situation, and other appointments

¹ This formed part of the general oath to be taken by each Director according to clause 160 of the 33rd of George III.

² It appeared that the price of a writership was about £3,500; that of a cadetship varied from £150 to £500.—Report of Committee, p. 2 to 8; and Evidence.

were given to them by different members of the Court.¹

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The main question, however, which occupied the attention of the Court of Directors and his Majesty's Ministers was the renewal of the Company's charter. The term for which this had been granted in 1793 expired on the 10th April, 1814. It had been provided that notice of the cessation of the charter should be given to the Company three years before it expired; and accordingly, on the 4th of March, 1811, the Chancellor of the Exchequer moved, and it was ordered, that the Speaker should signify in writing to the Directors of the East India Company that the Company's commercial privileges would cease and determine on the date above specified.

The renewal of the charter had for some time previously been the subject of a correspondence between the Board of Controul and the Crown.² On the 30th of September 1808 Mr. Dundas addressed a letter to the Chairman and Deputy Chairman, suggesting that it was now advisable to ascertain whether the Court of Directors were desirous to agitate the question, and submit it to the early consideration of Parliament. Early in the month following, the Chairs, after consulting with the Secret Com-

¹ Report of Committee appointed to inquire into the existence of abuses in the disposal of the patronage of the East India Company; printed by order of the Court of Proprietors, March 1809. See also *Parl. Debates*, vol. xiii.; and *Asiatic Annual Register*, *Proceedings India House*, vol. xii.

² The several communications with the Board, and various documents connected with the discussion, from 1808 to July 1813, were printed by order of the Court of Directors, for the information of the Proprietors, in a series of fifteen papers, entitled "Papers respecting the Negotiation for a Renewal of the East India Company's exclusive Privileges," London, 1812-1813.

BOOK I. mittee of Correspondence, expressed their concurrence, considering that the interests of the public
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1813. and the Company would be best consulted by an early renewal of the charter: they professed at the same time the readiness of the Court to pay due attention to any modifications that might be proposed, if they were compatible with the main principles of the existing system, for the conduct of the trade and the political administration of the Government of India. The views of the Directors were more fully developed in a letter addressed to Mr. Dundas on the 16th December, consequent on a personal conference which had been held with him. In this document they asserted the right of the Company to their territorial possessions, and stated their expectation that in a new charter the Proprietors would be permitted to benefit by an enhanced rate of dividends on their stock proportioned to the improvement of the revenues of India; that the aid of the British public would be contributed towards the liquidation of the Indian debt; and that arrangements would be devised for an equitable apportionment of the military expenditure incurred in the prosecution of interests of purely British origin, and not fairly chargeable to India. Twenty years were required for the term of the new charter. The tone of the address was bold, particularly at a moment when the Company was a suppliant for pecuniary aid; and the eagerness to extract an augmented dividend out of the anticipated improvement of revenue, instead of proposing to apply such additional revenues either to the reduction of the public debt or the benefit of the

people of India, savoured more strongly of the little selfishness of a trading company than of the liberality becoming a great and enlightened Government.

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In his reply, dated the 13th Jan. 1809, Mr. Dundas, although admitting in substance the advantage of adhering to the system of commerce and administration which had been sanctioned by the existing charter, declined to acknowledge the claim of the Company to a right to the territory of India, and considered it premature to discuss the proportion of benefit that was to be derived by the Company or the public from any improvement in the finances of India until the debt should be discharged. In like manner, the liquidation of the debt must be contingent on the appropriation of the revenues; as, if the disposal of them should be assumed by the public, it would be impossible to disregard the fair claims of the Company, or their creditors, to a reimbursement of the expenses incurred in the acquirement of the territory. He admitted that the Company had also a right to expect that the public should defray the cost of all hostile operations growing out of a state of war in Europe, whether India became the scene of them or was likely to be their aim.

In the letter from the Chairs of the 16th Dec. all specific allusion to the Company's exclusive commercial privilege had been carefully avoided. The phrase employed, "a regulated monopoly of the trade,"¹ implied of course that the commerce was to be left

¹ "The system by which the Legislature has continued to the Company the government of the territories acquired by it in the East, with a regulated monopoly of the trade, has been held by the most eminent persons conversant with that quarter and its affairs to be the most expedient both for the foreign and domestic interests of this country."—Letter from the Chairs to the Right Honourable Robert Dundas, 16th December, 1808; Papers, p. 9.

BOOK I. on its actual footing,—the assignment of a certain
CHAP. VIII. amount of tonnage to private merchandise in ships

1813. taken up by the Company, and the sale of private import goods through the Company's establishments. Mr. Dundas was more explicit : he announced to the Court that his Majesty's Ministers would not concur in an application to Parliament for the renewal of any privileges which should prevent the merchants and manufacturers of Great Britain from trading to and from India, and the countries within the limits of the Company's exclusive trade, the dominions of the Emperor of China excepted, in ships and vessels hired or freighted by themselves. He also intimated that it was thought advisable to adopt some plan for the consolidation of the Indian army with the troops of the Crown serving in India, in order to put an end to the jealousies and divisions which had so repeatedly occurred between the two branches of the military service in that country, and to the divided responsibility which had hitherto impaired the efficiency of both. He thought this would be found practicable without interfering with actual arrangements, or weakening the authority of the local Governments or of the Court over his Majesty's regiments employed in the Company's possessions. These intimations were anything but acceptable to the Court; and they replied, that, if the suggestions were acted upon to the extent which the terms seemed to convey, they would effectually supersede and destroy not merely the rights of the Company, but the whole scheme of Indian administration established by the previous acts of the Legislature, and consequences fatal to the Company and most detri-

mental to the nation would infallibly ensue. Although, therefore, willing to take into consideration the means of supplying the trade of private merchants with more beneficial and extensive accommodation as far as was consistent with the preservation of the Company's rights, the Court declared that they could not recommend to their constituents to seek a renewal of the charter upon conditions which would despoil it of all its solid advantages, deprive the Company of their most valuable privileges, and incapacitate them from performing for themselves and the nation the part hitherto allotted to them in the Indian system.

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The negotiation here came to a pause, and the Ministers, unwilling to engage in a contest with the Company whilst heavily embarrassed by the state of public affairs, and finding that the notice of the House was not likely to be yet attracted to the question of the Company's charter, determined not to press the subject. At the end of 1809 the Court announced their readiness to resume the discussion; but no notice seems to have been taken of their challenge until the end of 1811, when the President of the Board, now Lord Melville, apprised the Directors that his Majesty's Ministers could not recommend to Parliament the continuance of the existing system, unless they were prepared to assent that the ships as well as goods of private merchants should be admitted into the trade with India under such restrictions as might be deemed necessary. If the Court would agree to the enlargement of the trade, he was prepared to discuss the measures it might be necessary to devise.

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In their reply to Lord Melville the Court consented, however reluctantly, to propose to the Proprietors the opening of the trade; repeating their opinion, that, whilst it would be productive of serious inconvenience to the political administration of India, it would not realise to the nation the benefits which were expected from it. In support of their assertions, they referred to the accounts of the trade which had been submitted to the Select Committee. Influenced too, no doubt, by the measures which they understood to be in contemplation by the merchants of the commercial and maritime towns in various parts of the British islands, they expressed their confident belief that no intention was entertained by his Majesty's Ministers of trying the hazardous experiment of dispersing over all the ports of England and Ireland a trade now brought with so much advantage, both to the Company and the public, to the single port of London. The letter also entered into details exhibiting the magnitude of the Company's transactions, and vindicating the Company from the accusations which had been urged against it, and from the objections to the continuance of a system which they believed to rest, not upon the grounds of individual interest, but upon the firm basis of national advantage.

On the day preceding the date of this letter, a paper of propositions to be submitted to Lord Melville had been approved of by the Court of Directors, and was accordingly communicated to him on the 6th of March, 1812. To these propositions, or hints, as they were denominated, his lordship replied on the 12th; and as the main object of the propositions

had been to secure the continuance of the arrangements of the act of 1793, proposing only to adopt such modifications as should give greater facilities to the private trader, but no greater extension to the trade, they met with no favourable reception. The President of the Board of Controul told the Court plainly, that, as far as related to the India trade, they did not appear to have succeeded in showing that any detriment would accrue to the public interests either in this country or India, or ultimately even to the interests of the Company, from the introduction of private adventure; and he refused to acquiesce in any arrangements which imposed a restriction upon an improved commercial intercourse with India, approving of such only as were intended to restrain unauthorised settlements in that country, and to secure a strict monopoly of the trade with China. A petition, framed in consonance with the views of the Board, was accordingly prepared, and, being concurred in by a Court of Proprietors held on the 2nd of April, was presented on the 7th to the House of Commons, praying for a renewal of the charter.

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The announcement of the cessation of the East India Company's exclusive privileges was, we have contemporary evidence, received at first with very little interest. Men's minds were engaged with mighty events, by which the interests of commerce were overshadowed; and it seemed scarcely worth while to dispute for the profit of any particular branch of trade, when the independence of nations was at stake. By degrees, however, attention was drawn to the topic; and the Parliament had no

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sooner met than a deluge of petitions poured upon the House, assailing the principle of monopoly, condemning the career of the India Company, calumniating the motives of the Directors, and advocating the abstract right of all British subjects to a participation in every branch of external commerce. The language of the petitions was prompted by the same spirit against which it was levelled. The petitioners looked only to their own anticipated advantages, and in their selfish eagerness would have trampled upon all prudent precaution and opposing claims. A quarrel speedily sprung up amongst themselves for the spoils at which they grasped; and the merchants and ship-owners of London found, with no small dismay, that the unavowed monopoly which they had enjoyed under the protection of the Company's privileges, of a portion of the trade and the whole of the shipping, was no longer to remain uninvaded. Bristol, Liverpool, Glasgow, and many other outports had merchants, vessels, docks, and warehouses; and demanded not merely to be permitted to send goods to India, but to bring back its products to their own doors in their own ships, and to be liberated from all dependence whatever upon the metropolis.¹ Not only were petitions to this effect presented, but delegates from the outports were sent up to London and formed into a committee empowered to act for the mercan-

¹ Resolutions of the Buyers of Piece-goods, 21st April, 1812; Merchants, Manufacturers, Traders of London, 25th ditto; Petition ditto; Papers respecting the negociation, p. 133, &c. See also petitions to the House of Commons from the Merchants, Shipowners, &c. of London, and others, interested in the trade with India, and in the tea-trade; Parl. Debates, 6th May, 1812.

tile communities of the several places, and watch over their interests. Besides the outports, almost every trading and manufacturing town of any consideration joined in petitioning against the renewal of the Company's charter.¹

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Up to the beginning of 1812, the pretensions of the outports had excited apparently but little attention, and had received little countenance from the Ministers. Although Lord Melville had resisted the attempt of the Court to restrict the export trade to the port of London, he had nowhere intimated any inclination to extend the imports in a similar manner. On the contrary, he had concurred in the sixth proposition of the Court, which provided that the whole of the Indian trade should be brought to London, and that the goods should be sold at the Company's sales and under the Company's management, as likely to secure and facilitate the collection of the duties upon articles imported from India and China. Had, therefore, his propositions been acceded to in the first instance, it seems not unlikely that the Ministers would have been pledged to support the sale and warehousing system of the Company, and the advantages realised therefrom would have been preserved. The delay which the repugnance of the Court had caused, had given the opponents of the Company an opportunity to advocate the claims of the outports; and the change of Administration which occurred at this season, and which placed the Earl of Buckinghamshire at the head of the Board

¹ See Parliamentary Debates, Session of 1812; Petitions from Birmingham, Manchester, Sheffield, Nottingham, Blackburn, Paisley, Dundee, Perth, Belfast, and many other places in the three kingdoms.

BOOK I. of Controul, was another event which was unpropititious to their pretensions.¹ It was soon evident
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The conferences and correspondence with the Board still continued; and, as the opinions of the new President of the Board of Controul were in favour of the claims of the merchants of the outports, the proceedings that had taken place were reported to the Proprietors at large. The sentiments of the Directors could not fail to find an echo in such an assembly, and a series of resolutions was moved and carried in a General Court, held on the 5th May, to the following purport:—That the measure of opening the outports to vessels of all descriptions from India was fraught with consequences ruinous to the Company, and to the long train of interests connected with it: the removal of the trade from London would render large and important establishments useless, and throw many thousand persons out of bread. That a departure from the course of public sales would be injurious to the trade; and, by dispensing with the interposition of the Company, smuggling to an unlimited extent would be uncontrollable, to the great detriment of the public revenue. That the consequences must be, the destruction of the Company's China trade, the

¹ This nobleman, as Lord Hobart, had been Governor of Madras from 1794 to 1798. He had experienced the inconvenience to which the Indian Governments had been exposed in having to provide, amidst the financial embarrassments resulting from expensive warfare, for the Company's investments.—See Memoir of the late Earl of Buckinghamshire, *Monthly Asiatic Journal*, January 1817.

failure of their dividends, the depreciation of their stock, and their inability to perform the functions assigned to them in the government of British India. That, if the constitution of the British Indian empire were subverted, the civil and military services would be broken down; the tranquillity and happiness of the people of India, the interests of Britain in Asia, and the constitution at home, would be imminently endangered. That the object for which these evils were to be risked, the increase of the commerce, was illusory; as all experience had shown that it was not capable of increase. That the cause of the Company had been deeply injured by prejudice, ignorance, erroneous assumption, and, latterly, by extensive combinations, and by unfair representation, canvass, and intimidation. And finally, the Court, trusting that Parliament would decide, not on the suggestions of private interests, but considerations of national policy, approved of the firmness with which the Directors had maintained the interests of the Company, and enjoined them to persevere in the negotiation with his Majesty's Ministers on the same principles.

Although unappalled by the dark catalogue of imaginary terrors which the interested fears of the East India Company had conjured up for the salvation of their monopoly, yet the obvious evils attending the transfer of the details of an extensive trade from one class of persons to others, and the confidence with which disappointment and ruin were predicted to those who sought to benefit by the transfer, compelled the Government to proceed with deliberation and caution, and prevented them from bringing the decision of

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the question before Parliament during this session, notwithstanding it was one of the topics adverted to at the opening of the session in the speech from the throne. Previously to its introduction, another attempt was made by the Ministers to obtain the acquiescence of the Company in the proposed extension of the import trade, as preliminary to any other arrangements; and, as the attempt was unsuccessful, they intimated that it would be for Parliament to determine whether, if the Company still thought the extension of the commerce incompatible with their administration of the government of India, measures might not be devised that would effect the opening of the trade, and at the same time provide for the administration of the government of India by some other means than the intervention of the Company, upon principles consistent with the interests of the country and the integrity of the British constitution.¹ This intimation closed the discussion on the part of the Administration. The Court of Directors were equally resolute, and they were supported by the great body of the Proprietors. After a meeting of the latter, which was repeatedly adjourned, a series of resolutions was adopted,² which recapitulated the principal arguments in favour of the continuance of the present system, approved entirely of the firmness of the Direction in regard to the vital question of admitting the outports to share in the import trade of India, expressed their opinion that on no consideration whatever should this point be conceded,

¹ Letter from the Earl of Buckinghamshire, 4th Jan. 1813; Papers, 181.

² Proceedings of a General Court of Proprietors, 26th Jan. 1813; Papers, 194.

and declared their conviction that they might approach Parliament with confidence, persuaded that the wisdom of that enlightened body would never consent to the sacrifice of the clear and positive interests of one class of men to the contingent advantages of another, nor demolish a mighty practical system which had been raised by such immense exertions, in order to place its materials at the disposal of interested speculation. Conformably to these resolutions, a petition was presented to the House of Commons on the 22nd February, 1813, in which the Company prayed for the renewal of the privileges granted in 1793, and deprecated any interference with the China trade, or any extension of the import trade from India to the outports of Great Britain. Another petition was submitted at the same time, soliciting from the nation payment of a debt claimed by the Company of £2,294,426.¹ A similar petition was presented to the House of Lords.

On the 22nd of March, 1813, the subject was introduced into the House of Commons, in a Committee of the whole house, by Lord Castlereagh, who, after some general observations in which he bore testimony to the excellence of the Company's Indian government, declared it to be the wish of the Government not to interfere with the political system unless compelled so to do, although circumstances imperiously demanded the relaxation of their commercial privileges. He accordingly submitted to the House a series of resolutions, which proposed to renew the charter of the Company for a further period, to continue to them during that

¹ Parl. Debates, 22nd Feb. 1813; see also Papers, p. 252.

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arguments of the Court in defence of the monopoly of the trade with China. This trade was carried on under peculiar circumstances. The Chinese Government entertained a violent jealousy of foreign intercourse, and confined the trade not only to a single port, but to a single society,—to a certain number of native merchants of Canton incorporated under the designation of Hong,—interdicting the rest of its subjects from trafficking with strangers. There was no field, therefore, for competition; no possibility of multiplying demand by reduced prices, as the people at large were excluded from the market; and the only effect of the increased resort of English merchants would be to place them more entirely at the mercy of the Chinese Hong. Prompt to take offence, and affecting, possibly entertaining, utter indifference for foreign trade, the Government of Canton upon every petty disturbance or cause of alarm was ready to place an embargo upon all shipments whatever; and it had often required the experienced judgment, local knowledge, and personal influence of the members of the Company's factory at Canton to prevent or remedy occasions of umbrage, and preserve the trade from suspension, or restore it when interrupted. There was great reason to apprehend that from the ignorance or incaution of British traders and sailors, subject to no national controul, and setting the Chinese authorities at defiance, frequent interruption, if not a total stop to the trade, would occur; to the serious discontent of the people of England, to whom tea had become a necessary of life, and to the irreparable injury of the revenue, which realised nearly four millions a

year of duty upon this article of import.¹ It was maintained, indeed, that there were no just grounds for apprehending such a catastrophe. The Americans had traded largely with China without supracargoes or factory, yet had never given offence; and the appointment of a British consul would provide sufficiently a local authority, to which the resident merchants and the crews of British vessels might be made amenable. The salutary effects of this latter measure were regarded, however, as doubtful; and it seemed not improbable that the immunity of the American trade from obstruction was in part attributable to the Company's establishment, which without actual authority exercised an influence over all the foreign trade at Canton favourable to its prosperity. It was also argued, that, if an unlimited intercourse with China were permitted, it would be impossible to prevent smuggling, by which the revenue would be injuriously affected; and although the impossibility was denied, yet undoubtedly this argument had great weight with the Administration, who were unwilling, amidst the enormous pressure upon the finances of the country during the momentous transactions of this period upon the Continent, to hazard the diminution of a resource so valuable and so easily realised as the duty upon tea paid by the Company. Accordingly from the first they declared their determination to uphold this part of the monopoly, and to exclude private traders from the China seas.

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¹ Considerations on the China Trade, by Sir G. Staunton, Bart., communicated in the first instance to the Earl of Buckinghamshire, and subsequently to the Court of Directors; Papers, &c. p. 281.

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The struggle therefore was for the India trade. The advocates of the mercantile interest assailed the Company with the anti-monopoly doctrines, which, started by Adam Smith, were now received as axioms in the new and growing school of political economists : and although it was undeniable, that, had not the Company possessed originally an exclusive trade with India, that trade would never have been established on a secure and permanent footing, and not a rood of land in India would have owned the rule of Great Britain ; yet the necessities which fully justified the monopoly for many years had gradually disappeared before its continuance, and no sufficient reasons could now be assigned for excluding the merchants of Britain from a commercial intercourse with British India, especially as that intercourse was open to the people of America and to all foreign nations. The Court of Directors were unable to offer any valid objections of a commercial nature. Their only argument was, that admission to the trade would end in disappointment ; that the merchants who so eagerly sought to be allowed to engage in the commerce would find they had miscalculated the benefits they derived from it. The experience of two centuries, they affirmed, had fully determined the nature and extent of the trade with India ; and proved past questioning that it could not be carried beyond the bounds to which it had attained, and which yielded so little profit, that the trade was scarcely worth the Company's retaining. The imports from India were of a limited description, and were either on the decline in competition with the raw produce of

America, as cotton; or with the products of home manufacture, as cotton goods; or they were incapable of more than a fixed and circumscribed consumption, as was the case with indigo and various drugs and spices. The same applied to the exports: they could not be increased; the climate, the religion, and the usages of the people were all opposed to the consumption of British goods and manufactures; and nothing English that could be sent to India was likely to find a sale, except among the few British residents in the country. The interval that had elapsed since the renewal of the last charter had given to these conclusions the sanction of experience; as the amount of tonnage then provided for the private trade had never been fully occupied, and not a single new article of export had suggested itself to the interested enterprise of the individual trader.

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The more ardent of the advocates of free trade denied the justice of the conclusions drawn by the Court. The little profit attending the Company's trade they ascribed to the prodigal expense of the Company's operations, the want of good management, and the absence of judicious speculation. The delays and expenses to which the private trade was subjected under the Company's controul sufficiently accounted for the limited demand that had been made for the tonnage: yet, notwithstanding these obstacles, the Court's own returns showed that the private trade was on the increase; and, notwithstanding the assertion that no new article had been introduced, it had been found profitable to send out cotton manufactures to India. They treated

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as monstrous and untenable the assertion that no extension of trade was possible amongst the millions of the Indian population.¹ The more moderate argued, that, although it was very possible that such an extension as was sometimes anticipated, might not be effected in India itself, or amongst the Hindus, yet that there was a considerable body of Mohammedans whose habits were less unpromising; and in the Indian Ocean, the Gulph of Persia, and the Eastern Archipelago, new channels of trade might and would no doubt be opened out by the activity and enterprise of the private trader: that, at any rate, the experiment was worth trying, as it could only leave the trade as it found it; and if, as was pretended, it yielded little or no profit to the Company, that was a reason the more why they should not be unwilling to part with it. The exigencies of the commerce of Great Britain probably weighed more with the Ministers than the arguments and assertions of either party. Excluded from the Continent by the decrees of Napoleon, the merchants and manufacturers were labouring under alarming difficulties; and the country was menaced with severe distress unless some new vent for the issue of its industrial products could be discovered, some new hopes could be held out to animate and encourage the drooping energies of manufacture and

¹ It was stated by Lord Castlereagh, that in the last twenty years the export of cotton manufactures to India had increased from £2000 to £106,000, and was clearly a growing trade.—Debates, June 3, 1813. See also Evidence of Mr. Brown and Sir Robert Peel, App. First Report. Mr. Sullivan, 3rd June, says, the average export of manufactured cottons from 1792 to 1796 was £730, whilst between 1807 and 1811 it was £96,980: the amount of the exports of private trade had doubled within the period of the charter.

trade. To this great state necessity the interests of a single corporation were bound to yield; and the Company, with however bad a grace, were compelled to consent that vessels from any of the ports of Great Britain should be allowed to export British produce and fabrics to the territories of India under their authority. They still, however, insisted on the condition that the cargoes which the merchants imported from India should be brought to London, deposited in the Company's warehouses, and sold at the Company's sales. Upon this point they resolutely resisted the wishes of the Government.

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The arguments with which they opposed the extension of the imports from India to the out-ports of Great Britain were, the injury that it would inflict both upon the Company and the metropolis, rendering the extensive and valuable docks and warehouses appropriated during many years to the India trade no longer available, and throwing out of employment thousands of persons hitherto dependent upon their establishments; the impossibility it would involve of regulating the supplies by the demand, which was the effect of the Company's sales,—the Company keeping back, even to their own loss, the goods they imported, when they found that the market was overstocked. But the chief points upon which they rested their objections were, the impossibility of preventing smuggling in Britain, and checking the unlicensed and unlawful navigation in the Indian seas, which must result from extending the trade to other ports than that of London. The replies of the representatives of the out-ports were, either of a general tenor, the same with

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which the principle of the Company's monopoly had been assailed; or they were specially urged against the limitation of the import trade to the port of London, which they denounced as unnecessary, unjust, and impolitic. It was not necessary for the protection of the revenue, for experience had shown that the Government duties could be levied elsewhere with as much regularity and security as in London: it was unjust, because every mercantile place was entitled to the same protection as the capital; and it would be only a transfer of the monopoly from the East India Company to the merchants of London, to give to them alone the privilege of importing goods from India: and it was impolitic, because the superior dispatch and economy of the outports were requisite to secure an equality in the market with foreign nations. With regard to the duties, the Ministers also took the care of them upon themselves, their realisation being more the business of the State than of the Company; and they would not admit that any greater danger could accrue to the Company's authority in India from the homeward than the outward trade, as the increased resort of Europeans to India was quite as likely to be the consequence of the one as of the other. The Court of Directors had also impaired the force of their own objections on this ground, by acceding to the unlimited extension of the outward-bound trade to any of the ports of the United Kingdom. Notwithstanding this palpable objection to the arguments of the Court, the dangers resulting from the opening of the trade to their political interests were pressed upon the Ministers with still more urgency

than the peril of their commercial; and their tenure of the sovereignty of India was declared to be contingent upon the preservation of their mercantile privileges. The dangers were of two kinds,—one financial, one political.

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The revenues of British India, it was affirmed, had never been equal to the territorial charges: the deficit had been made good partly by money borrowed either in India or in England, and partly by the profits of the Company's trade. Large payments on account of Indian loans, and of expenses growing out of the Indian system,—such as, the supplies of stores and the pensions of retired officers, civil and military,—had also to be made in England; for which the commercial capital of the Company was wholly insufficient, and for which the sums required were raised by remittances of goods from India or China, and the proceeds of the sales at the India House. Should these sources of supply fail in consequence of the diversion of the trade to private hands, money would be wanting for current disbursements: and, should the profits of the trade be taken away, the excess of the charge of the Indian territory, the interest of the debt, and the dividends on the stock could no longer be provided for; in which case the Company's stock would be valueless, and their obligations could not be discharged. The business of the Indian administration could no longer be carried on by them, and the rescission of their commercial privileges was therefore equivalent to the annihilation of their political existence,—to the subversion of that system which the sense of the nation, the testimony of all preceding Administrations, and the professions

BOOK I. of the present Ministers, agreed to recognise as that
CHAP. VIII. which was best fitted to maintain the British domi-

1813. nion in India. These arguments were, however, disposed of in a great measure by the continuance to the Company of the monopoly of the tea-trade, from which it was admitted that their commercial profits were principally, if not wholly, derived. How far their territorial expenses had been defrayed by their commercial gains, was also a matter of some uncertainty, as the accounts of both had been hitherto blended in such a manner as to render it difficult to distinguish to which head many of the charges correctly appertained. According to the Company's adversaries, the Company's investments were largely indebted to the territorial revenue.

Thus driven from all the disputed posts,—most of which, to say the truth, were utterly untenable,—the Company had recourse to their last great stay, the danger of an unlimited resort of Europeans to India. It was asserted that merchants and agents would of necessity follow the trade, and that great numbers of persons would settle in the country, upon whose steps craftsmen and labourers would necessarily follow; and European colonization, however slowly, would surely take place. Once established, it would, after the example of the American colonies, lead to independence, and India would be lost to Great Britain. Even before this consummation took place, extreme embarrassment and no small peril would be encountered. The weak and timid natives of India would be the victims of European fierceness and brute force. If they failed to resist, they would be subject to cruelty and

oppression, which the Company's functionaries would be unable to prevent: if, taking courage from their numbers, they ventured at resistance, scenes of tumult and bloodshed must follow, which could not fail to menace the stability of British rule. In either case there was an immediate or a remote danger that the loss of India would follow the opening of the trade.

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These apprehensions had, as above remarked, been partly neutralized by the assent which the Court had actually given to the extension of the trade to India, and it was not difficult to show that they were exaggerated and visionary. The resort of Europeans growing out of the agency of commerce could neither be numerous nor mischievous. It would be necessarily confined to the principal settlements, where alone trade could be largely and profitably carried on, and where the persons engaged in it would be immediately under the eye of the most efficient and powerful officers of the state. The class of persons who would take up their abode there would be peaceable merchants, factors, and agents; not classes amongst whom matter deep and dangerous to the Government was likely to be fostered. Labour in India was too plentiful and too cheap to hold out any inducement to the most numerous and disorderly classes of the community at home to emigrate, and all danger of popular commotion from such a source was therefore imaginary. But, it was argued, some of the settlers would attach themselves to the soil, and a class of agricultural as well as commercial colonists would be formed, by whom ultimate independence would be achieved. To the objection, that

BOOK I. the land was fully occupied, that there was no room
CHAP. VIII. for new cultivators, the answer was, that the new

1813. colonists would displace the natives; but this could be effected only in one of two ways—by violence, or by purchase. The former implied that there was neither law nor government in the country, and counted vastly too much upon the non-resistance of the natives, who have everywhere been found ready to fight for their lands, and who in many parts of India are destitute neither of strength nor spirit. Purchase involved the transfer of capital from England to India, to be invested in property of very equivocal advantage at least, and little likely to be attended with profit under European management and the Company's revenue enactments. The climate and the habits of the two people rendered it utterly impossible that a European should compete with a native farmer in the cultivation of crops of rice, and the claims of the state to three-fifths of the net produce held out little prospect to the European cultivator of realising a fortune. It was not to be doubted also, that the climate, in some parts of India at least, was unfavourable to the full developement of the European organisation; and, with diminished physical energy, would engender an inferior degree of intellectual vigour: so that the children of Europeans, born and bred in the country, would sensibly degenerate; and the course of a few generations would, in all probability, find them rather below, than above, the level of the native population. These were facts, however, unknown, or kept out of sight, by those who held out colonization and independence as bug-bears to the advocates of free trade;

and the phantoms had so far an influence upon the determinations of the Government, that it was thought advisable to take precautions to prevent their substantial existence. It was agreed that no persons, except those in the Company's employ, should be allowed to go to India as residents, without a licence either from the Company or the Board of Controul; and that the Indian Governments should retain authority to send out of the country any individual from whom they might think it advisable to withdraw the licence to reside in India. This was considered a sufficient concession to the real or affected panic of the Court. And with regard to any embarrassments that might arise from the diminished remittances from India to meet the demands upon the Company, the Ministers engaged that, if it should arise without any fault of the Company, they would use their influence with Parliament to afford the necessary relief, as far as equivalent means might exist in India.¹

The improbability of the extension of the trade, and the great risk attending the attempt to effect its extension, were the especial points which the Company endeavoured, by the witnesses whom they called, to impress upon the Parliament; and with

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¹ The arguments in favour of the continuance of the Company's exclusive privileges are to be chiefly found in the letters from the Chairs to the Board of Controul, and the petitions of the Company to Parliament, printed in the Papers respecting the negotiations, &c. Those of the advocates of free trade, in the petitions of the several towns, and in a shoal of contemporary pamphlets: among which may be noticed *Considerations on the Trade with India*, London, 1807; and *Letters on the East India Company's Monopoly*, published at Glasgow. Nor was the Company without its supporters; amongst whom one of the most respectable was Mr. Robert Grant, the author of the "*Expediency of continuing the system of the Trade and Government of India*, 1813."

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this view several of their most distinguished servants were interrogated before the House. The first person called was Warren Hastings; and, as if impelled by a sudden conviction of the undeserved severity with which he had been treated by a former House of Commons, and by a spontaneous wish to offer him such atonement as a unanimous tribute of personal respect could render, the members rose, as one body, upon his entrance into the House, and stood until he had assumed his seat within the bar. Similar indications of veneration accompanied his withdrawal. The House of Lords received him also with marked courtesy and attention. The contrast between his position now, and that which he held in the same presence twenty-seven years before, when he was arraigned of atrocious crimes and misdemeanors before both Houses, must have been some, though a tardy and insufficient, compensation for the unmerited neglect in which he had since passed his unobtrusive life.¹ His evidence was confirmatory of the assertions of the Company. He expressed it as his opinion, that if Europeans were admitted generally to go into the country, to mix with the inhabitants or form establishments amongst them, the consequence would certainly and inevitably be the ruin of the country: they would insult, plunder, and oppress the natives, and no laws enacted from home could prevent them from committing acts of licentiousness of every kind with impunity. A general feeling of hostility to the Government would be excited; and

¹ Of his reception he merely remarks, in a letter to a young friend, "I have lately received two most convincing and affecting proofs of my having outlived all the prejudices which have during so many past years prevailed against me."—*Life of Warren Hastings*, iii. 458.

although the armed force might be of sufficient strength to suppress any overt acts of insurrection, yet the stability of the empire must be endangered by universal discontent. The opinions of Lord Teignmouth, Colonel Malcolm, Colonel Munro, and other distinguished servants of the Company were of a similar tendency, and deprecated strongly the unrestricted admission of Europeans to the interior of the country. Experience had proved, they affirmed, that it was difficult to impress even upon the servants of the Company, whilst in their noviciate, a due regard for the feelings and habits of the people; and Englishmen of classes less under the observation of the superior authorities were notorious for the contempt with which, in their national arrogance and ignorance, they contemplated the usages and institutions of the natives, and for their frequent disregard of the dictates of humanity and justice in their dealings with the people of India. The natives, although timid and feeble in some places, were not without strength and resolution in others; and instances had occurred where their resentment had proved formidable to their oppressors. It was difficult, if not impossible, to afford them protection, for the Englishman was amenable only to the courts of British law established at the Presidencies; and although the local magistrate had the power of sending him thither for trial, yet, to impose upon the native complainants and witnesses the obligation of repairing many hundred miles to obtain redress, was to subject them to delay, fatigue, and expense, which would be more intolerable than the injury they had suffered. There was in fact,

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therefore, no redress; and the only security that the natives enjoyed was the power vested in the Government of removing a troublesome and mischievous European from the provinces to the Presidency, or even, if necessary, of sending him altogether out of India. As long as those powers continued to be vested in the local Governments, and as long as the resort of Europeans to India was regulated by licences granted by the authorities either in England or in India, it was thought by some of the witnesses that no great danger was to be apprehended. According to Colonel Malcolm, however, the restrictions could not be too stringent or severe.¹

In all the questions, however, to which these replies were given, it was assumed that not only an unrestricted but an unlimited and numerous influx of Europeans would follow the opening of the trade, and that the Europeans would settle as colonists. Admitting the inferences to be legitimate, the premises did not appear to all the witnesses to be equally indisputable. Thus Colonel Munro, in particular, stated his opinion that, although in the first instance the number of Europeans might be considerably augmented, yet by degrees that number would be limited by the amount of the trade, for the regulation of which alone their residence would be advantageous. They would not become manufacturers, on account of the superior skill and economy of the natives; they could not hold land, as that was prohibited by the Company's regulations:

¹ See Minutes of Evidence taken before the Select Committees of both Houses of Parliament in 1813, printed by order of the Court of Directors for the information of the Proprietors.

and, supposing it to be desirable that the law were repealed, it was not likely that Europeans could colonize to any extent; they would be borne down by the superior population of the natives, more industrious and economical than themselves.

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The several witnesses agreed also as to the improbability of the trade with India being susceptible of any material extension. The simple habits of the people, taught them by the nature of the climate and the condition of society, rendered them, even where able to purchase superfluities, little inclined to provide them. A few opulent natives at the chief cities occasionally purchased articles of European furniture and apparel, in compliment to their European friends, but commonly put them aside and made no use of them.¹ Their superfluous wealth was expended in the marriages of their children or at religious festivals, in domestic indulgences or on the ornaments of their women. The vast majority of the people were, however, devoid of the means of buying European manufactures, even if there existed amongst them any propensity to make use of them.²

¹ A fourth of the second share of the prize-money of Seringapatam was to be paid to the Nizam, and, with a prudent regard for the interests of British trade, the Government of Madras thought it expedient to convert the amount into broad-cloth, plate, china, glass and the like, in order to initiate his Highness and his Court into a taste for the elegant superfluities of European living. The articles were graciously received; but all were consigned to the Toshak-khana, or magazine of rare and valuable commodities. On visiting this magazine, the Resident found many rooms filled from the floor to the ceiling with European articles, most of which had been presented to the Nizam and his father by the Governors of the French and English settlements: some as old as the time of Duplessy and Bussy, sent direct from the court of Louis XV. Of course the greater portion had become the nests of the white ant and the moth.—Evidence of T. Sydenham, Esq. before the House of Commons; Minutes, p. 527.

² Various testimonies were given of the cheapness of labour and the trifling amount sufficient for the maintenance of the natives. According to returns obtained by Colonel Munro whilst in India, upon a population of

BOOK I. Here, again, the same sagacious officer, Colonel
CHAP. VIII. Munro, placed the question in its true light. Al-

1813. though he admitted that the Hindu was as unalterable in his habits as it was possible to be, and had in all probability adhered to them ever since he was first known to the Greek invaders of his country, yet he denied that the people of India entertained any invincible prejudices against foreign fabrics: it was entirely a question of price: whenever we could undersell the Hindus in any article which they required, it would find its way into the interior of the country without much help from the British merchant, and in spite of all regulations to prevent it. At the same time, he did not conceive it likely that there would be such a reduction of price as could bring British manufactures into competition with those the natives required and could produce in their own country. He was not aware what elements were even then at work to raise the British manufacture of one of the necessities of life, cotton cloth, upon the ruin of the fabrics of India.

A question of still graver importance, although not affecting the continuance of the Company's privileges, was the expedience of adopting measures for the dissemination of Christianity amongst the natives of India. The advantages of placing the Company's chaplains under episcopal authority had been pressed upon the attention of the Company and the public

two millions of inhabitants, the average annual expenditure of each individual for clothes, food, furniture, and all the necessities of life, did not exceed 25s.: the average expenditure of the rich being 40s.; that of the middling classes, comprising the whole of the agricultural and manufacturing classes, 27s.; and that of the poorest, 18s. It was not likely that any of these classes should furnish consumers of European commodities.—Min. of Evidence p. 204.

some years before,¹ and the Administration was willing to give effect, in part, to the arrangements so suggested. The appointment of a bishop and archdeacons was calculated to give consistency and vigour to the clerical establishment of British India, and was not likely to excite any hostile feelings amongst the natives, as long as they had no cause to suspect that it was the purpose of the Government to employ such agency as instruments of their conversion. To this extent, therefore, the Ministers and the Company were disposed to go: but there were not wanting a number of zealous persons who endeavoured to force upon them the adoption of provisions in the new charter for the communication of the light of Christianity to the benighted heathens of India, and for affording sufficient opportunities to the benevolent persons who should be desirous of going to India for that purpose; or, in other words, to authorise and assist the exertions of the missionaries. Petitions to this effect had been presented to both Houses of Parliament, and the members naturally therefore wished to hear the sentiments of those who were best qualified to judge of the probable consequences of any attempt of the Government to introduce the Christian religion. There was no hesitation or disagreement in the reply. All concurred in asserting that not only the attempt, but any notion amongst the natives that such an attempt would be made, was pregnant with the most fatal consequences: it would not only defeat the object for which it was made, and prevent the diffusion of that religion it was intended to establish,

¹ In a memoir on the expediency of an Ecclesiastical establishment for British India, by the Rev. Claudius Buchanan, 1805.

BOOK I. but would lead to universal fear and discontent, and
 CHAP. VIII. would in all likelihood end in the overthrow of the

1813. British empire. Divided as were the people of the country by religious differences and distinctions of caste, any dread of violence to their several forms of belief would unite them in a common cause; would convert timidity into desperation, and subordination into defiance; and would kindle a flame which, in its progress, would destroy not only the British Government, but all who professed the faith it was designed to propagate. Even Lord Teignmouth, although connected with the religious party, admitted that considerable peril might be apprehended from indiscreet zeal; that, from the experience which the natives had had of the disposition of the Government during very many years to pay every attention to their civil and religious prejudices, they never could be brought to believe that it meant to impose upon them the religion of this country; that any enactment for the conversion of the natives, having the appearance of a compulsory law upon their consciences, would be attended with very great danger; and that it would be advisable to leave in the hands of the local Government the controul to be exercised over persons professing to teach Christianity in India.¹

A variety of conflicting evidence relating to the

¹ See the Resolutions of a meeting of the Protestant Society for the protection of Religious Liberty, 3rd March, 1813; Papers, &c. 276: of a special meeting of the Church Missionary Society, 24th April, 1813; of the meetings of the members of the Church of Scotland, the Wesleyans, Baptists, and others, in March and April, 1813; in the *Missionary Register* for April of that year. The subject was also warmly discussed in various pamphlets: Lord Teignmouth and Mr. Fuller taking the lead on the side of missionary encouragement; and Messrs. Scott Waring, and T. Twining, among those who denied its expedience or safety.

difficulty of repressing smuggling, and the expedience of continuing the China monopoly, was also heard. The officers of the outports generally maintained that there existed as much security for the realisation of the duties at the several harbours as in London. The weight of authority, however, was against them; and difficulty was anticipated, although it might not be insuperable. The evidence of the Company's officers who had resided in China was also of a character more entitled to credit than that of the merchants, who attempted to qualify or deny the descriptions which were given by Sir G. Staunton and Mr. Davies of the peculiarities under which the trade with the Chinese was conducted, and the danger of its being lost should an indiscriminate traffic be allowed.

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On the 25th of May the subject was again brought before the House of Commons. Lord Castlereagh, presuming that the members were now in possession of the evidence, was desirous of entering upon the discussion, and coming to a conclusion without further delay. Some opposition was made to an early day, on the ground of there not being time to read over the minutes of evidence; but it was overruled, and on the 31st the House went into a Committee on the Resolutions. The first resolution purported that the privileges, authorities, and immunities granted to the East India Company by any acts of parliament then in force, should be continued for a further period of time to be limited, except as far as hereafter modified and repealed. In objecting to this, Mr. Bruce, the Company's historiographer, recapitulated the history of the Com-

BOOK I. pany, the attempts that had been made to interfere
CHAP. VIII. with their exclusive rights, the little success with

1813. which they had been attended, and the services rendered to the trade, and the prosperity of the state, by the Company; and he argued that any deviation from the existing system would be productive of dangers and losses both commercial and political, of the destruction of the Company's trade both with India and China, and of the subversion of their Indian empire. It would be a melancholy reflection, he concluded, to have lived to see one political and financial error lose to the country its American colonies; and to be convinced that, the proposed resolutions, if passed into a law in opposition to a most full and complete body of evidence, would in a short time probably lose its Indian empire to Great Britain.¹ He was followed by Mr. Charles Grant junior, who impressed upon the House the peril of disturbing a system of administration under which the people of India were prosperous and happy, for the sake of imaginary commercial advantages which never could be realised. The good of the people of India was the real point at issue; and this could not be promoted by letting loose amongst them a host of desperate, needy adventurers, whose atrocious conduct in America and in Africa afforded sufficient indication of the evils they would inflict upon India. The Company had been charged with having excited wars in India, and furnished an exception to the general rule that peace and tranquillity were the insepa-

¹ Substance of the Speech of J. Bruce, Esq.; Black, Parry, & Co., 1813: also Hansard's Debates, 31st May, 1813.

rable attendants of commerce: and by whom was this charge made? by the advocates of the slave-trade, the people of Liverpool. The natives of India deprecated all change: he gave utterance to their prayers when he conjured the House not to make them the subjects of perilous speculation, and, for the sake of local insignificant interests, barter away their happiness. The commercial merits of the question were more particularly dwelt upon by the father of this speaker, Mr. Charles Grant senior, who, as Chairman and member of the Court of Directors, and a gentleman of great ability and experience, had taken the lead in the defence of the Company's privileges. He urged the arguments already adverted to, of the impossibility of materially extending the trade, which he was satisfied to observe was now generally admitted. He denied that the union of the character of merchant and sovereign was prejudicial to the country over which the Company ruled; that any loss had attended their commercial transactions, the commerce having not only supported itself, but contributed to the expenses of the administration of the territory: he asserted that the remittances made to England were necessary for territorial charges in that country; and that they were better effected through goods than the bills of private merchants, of whose solvency they could not always feel secure. He maintained the right of the Company to their territorial possessions, having been acquired at their own hazard and expense. In reply to the inconsistency of apprehending a dangerous resort of Europeans to India if merchandise were brought from thence to the out-

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ports, and not anticipating the same from vessels fitted out by them for the export trade, he observed that, if ships were not allowed to carry their return cargoes to the outports, the ships fitted out from those ports would be comparatively few. Of the reality of the danger, the whole body of the evidence was full. The transfer of the trade from London to the outports would yield no advantages to the kingdom at large; whilst it would be injurious to the metropolis, and dangerous to India.

Amongst the speakers on the opposite side, Mr. Canning was principally distinguished. He very justly observed, that, of all the questions ever discussed in the House of Commons, the present was one in which on both sides the greatest exaggeration prevailed. He bore no enmity to the Company, and was desirous of supporting all their just claims: but he could not admit their claim to the rightful sovereignty of India; or that the anomaly of their position should impair the principle, that, whenever British subjects acquired dominion, it was comprehended within the permanent dominion of the empire. When Parliament were legislating on the government and commerce of India, it was as clearly competent to do so, as to enact laws respecting any other British possessions properly denominated colonies. He would admit, however, the Company to retain their sovereign capacity as a concession, not as a right; but, if it should seem good to take it away, it was the right of the Parliament so to legislate, and not in the right of the East India Company to plead their possession. With regard to the objections offered to the open-

ing of the trade on account of the anticipated misconduct of those who would engage in it, he thought it was rather hard and unprecedented language for the advocates of the Company to say to the merchants, "You are a pack of piratical ragamuffins, who want to lay our villages in ruins and blood, and to carry away our children into captivity: we have heard of the horrible traffic you carried on for the slave-trade a century without shame, and would not abandon without a struggle." Fortunately for the private trader, the right and power of interference did exist in Parliament, who would consider the question in all its bearings, without heeding the exaggerated pretensions of those commercial lords of Asia to dominions acquired by British enterprise, and yet held by British arms.

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After witnessing the changes in the systems of judicature and revenue, and in the military organisation, which had been effected by the Company's Governments, he could not believe in the alleged immutability of the native character and habit, which was to render impracticable any extension of the trade with them; and still less could he imagine that a people, who had been quiet and submissive for three thousand years, should lose those qualities all of a sudden if a few pedlars were allowed to travel in the country with a pack of scissors or other hardware at their backs. The question was, not the admission of British merchants to trade without restrictions, but their trading subject to restrictions and regulations. He conceived the general principle to be pretty well disposed of, except between the classes who went to the extreme

BOOK I. length of contending, on the one side, that the
 CHAP. VIII. Company should be abolished, and those who, on
 1813. the other, maintained that not a single feather
 should be taken from their plume of sovereignty;
 but whilst he did not apprehend any insuperable
 difficulty in providing for the government of India
 independent of the Company, yet he was ready to
 admit that the system had many advantages, and
 was desirous to continue it in their hands as long
 as it did not degenerate into a system of exclusion.
 The first resolution was carried without a division.

The second resolution, proposing to continue the
 monopoly of the tea-trade with the Company, was
 discussed on the succeeding day. It encountered
 some opposition from Mr. Marryatt, Mr. Ponsonby,
 and Sir J. Newport; who argued that it was im-
 politic and unjust to exclude British subjects from a
 trade to which foreigners were admitted, and that,
 by opening the trade, the public would be supplied
 with better tea at a lower price, the prices of teas in
 America being much lower than those at the Com-
 pany's sales. In reply it was asserted, that the
 Company put up their teas at little more than cost
 price; and that, if the rates were enhanced by the
 buyers, it was their act, not the Company's. Whilst
 also it was not denied that the American prices
 were lower, it was asserted by Mr. Grant that the
 comparison was fallacious; as the articles, although
 bearing similar appellations, were entirely different,
 and the American teas were of inferior quality.
 This was contradicted; but the arguments which
 had influenced the Select Committee—the fear of
 exciting the jealousy and provoking the opposition

of the Chinese Government, and the inexpediency of hazarding valuable and readily realisable revenue which the duty on tea under the present system secured,—proved successful; and this resolution was also carried without a division. The other resolutions, with reservation of the third, seventh, eighth, and thirteenth, were also agreed to.

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On the 2nd of June the discussion of the third resolution took place. This resolution, which gave permission to the ships of private merchants to sail from any port in Great Britain to any port within the limits of the Company's charter, and to return to certain of the outports, had been qualified by various clauses, having for their object both the security of the Company and individuals; the most important of them making it necessary for vessels trading with India to have licences from the Company, but empowering the Board of Controul to issue licences when refused by the Court of Directors, if not satisfied with the grounds of the refusal. The debate was opened with a speech from Mr. Rickards, objecting altogether to the continuance of the Company's privileges, and denying the existence of that prosperity amongst the people of India which they had been described as enjoying under the Company's administration; attributing much of the misery that existed to the pressure upon the national industry arising from the Company's monopoly, and looking for its relief only to the extension of a demand for the produce of the country through the enterprise of the private trader. He was replied to by Mr. Grant. The singularity of the debate was a long and elaborate speech

BOOK I. from Mr. Tierney, who, in opposition to the senti-
CHAP. VIII. ments of his colleagues, maintained that, looking

1813. to the distinguished character and generally concurring tenor of the evidence adduced in favour of the Company, and the total absence of any evidence on the opposite part, the existing system ought not to be interfered with. In fact, there was a gross inconsistency in the resolution: a Court of Directors, that could not be trusted with the commerce of India, was to be confirmed in the government,—twenty-four execrable merchants were to make excellent political governors! But there was no charge against the Company: the main object of the act of 1793, the happiness of sixty millions, had been attained. The government of India, he asserted, was well and ably administered, and was not to be subverted for the sake of a little more trade. Amongst all the arguments in favour of the benefits that were to accrue to the people of India from a free trade, he had never heard it proposed to allow one manufacture of India to be freely imported into Great Britain. It was true that they would allow cotton-twist: but then, having found out that they could weave by means of machinery cheaper than the Indians, they said to them, “Leave off weaving; supply us with the raw material, and we will weave for you.”¹ Now, although this was a na-

¹ The history of the trade of cotton cloths with India affords a singular exemplification of the inapplicability to all times and circumstances of that principle of free trade which advocates the unrestricted admission of a cheap article, in place of protecting by heavy duties a dearer one of home manufacture. It is also a melancholy instance of the wrong done to India by the country on which she had become dependent. It was stated in evidence that the cotton and silk goods of India up to this period could be sold for a profit in the British market at a price from fifty to sixty per cent. lower than those fabricated in England. It consequently became necessary

tural principle enough for merchants and manufacturers, it was rather too much to talk of the philanthropy of it, or to rank the supporters of it as in a peculiar degree the friends of India. If, instead of calling themselves the friends of that country, they should profess themselves its enemies, what more could they do than advise the endeavour to crush all Indian manufacture? What would be said of the East India Company if they were to show as decided a preference to the manufactures of the natives of India under their protection as we did to the manufactures of England? It appeared to him that the alterations in the resolutions had been proposed for no other purpose than to conciliate the clamour of the merchants, and he would defy any man to point out anything like the good of India being the object of any of the resolutions. In conclusion, he expressed his opinion that either the present system must be maintained, or the Company set aside altogether. Lord Castlereagh, in reply to Mr. Tierney, urged adherence to the middle course which had been proposed by the Ministers. In the adjourned debate on the following day, Mr. Sullivan recapitulated the circumstances which had

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to protect the latter by duties of seventy and eighty per cent. on their value, or by positive prohibition. Had this not been the case, had not such prohibitory duties and decrees existed, the mills of Paisley and of Manchester would have been stopped in their outset, and could scarcely have been again set in motion, even by the powers of steam. They were created by the sacrifice of the Indian manufacture. Had India been independent, she would have retaliated; would have imposed preventive duties upon British goods, and would thus have preserved her own productive industry from annihilation. This act of self-defence was not permitted her; she was at the mercy of the stranger. British goods were forced upon her without paying any duty; and the foreign manufacturer employed the arm of political injustice to keep down and ultimately strangle a competitor with whom he could not have contended on equal terms.

BOOK I. taken place on the renewal of the charter of 1793,
CHAP. VIII. and the measures advocated in 1800 by Mr. Dundas

1813. for the extension of private trade, by the admission of India-built shipping belonging to merchants in India at that time, and observed that all the arguments brought forward against the propositions now before the House were then urged with greater force and ability than was now evinced in the discussion: the result of a compromise made with the Company had demonstrated the futility of all objections against the private trade, which had largely increased during the period of the charter. Mr. Prothero vindicated the merchants of the outports from the sarcastic observations of Mr. Tierney, and maintained that they had shown their moderation in not insisting upon larger concessions than it had been deemed expedient to grant. Mr. Baring denied the advantages, and expatiated on the dangers of augmenting the facilities already given to private trade. Several other members took part in the debate; but the discussion turned chiefly upon the general merits of the measure, and went over the grounds previously exhausted. The resolution was carried without a division; and the remaining resolutions being agreed to, with a reservation that some of them would be considered more fully on the bringing up of the report, the House was resumed, and the report of the Committee, consisting of the resolutions in detail, was received.¹

On the 14th, when the report was taken into consideration, Sir J. Newport moved that it should be postponed to that day three months, expressly

¹ See Appendix.

with a view of inducing the House in the next session to abolish the monopoly altogether. Lord Castlereagh expressed his opinion that such an abolition would be a serious calamity, and that Ministers would be guilty of a dereliction of duty if they agreed to any postponement of the question. Mr. Whitbread passed some severe strictures on the Ministers for culpable delay in bringing the question forward, and then hurrying it to a decision: he accused Lord Castlereagh of inconsistency, who, when President of the Board of Controul nine years before, had declared that the Company was unable, and ought not, to exist longer; and yet now argued that it ought to be supported. He completely agreed with the sentiments which had been expressed by Lord Grenville in the House of Lords, disputed the eulogium which had been passed upon the Company's administration, considered the evidence given in their behalf as prejudiced and contradictory, and declared that the information was insufficient: one thing only was clear, there should be no compromise; if the Company ought to be destroyed, destroy it; if it ought to be maintained, maintain it: he voted for further delay. Mr. Tierney also urged delay, which Mr. Canning opposed; and, upon a division, the amendment was rejected by a considerable majority. The debate on the resolutions was adjourned.

On resuming the discussion on the 14th June, Mr. Howorth argued the necessity of asserting in the preamble a declaration of the sovereignty of India residing in the Crown; and Sir J. Newport proposed a motion to that effect. Lord Castlereagh objected to the amendment, that it was unnecessary;

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BOOK I. that it was raising a doubt where none had been
CHAP. VIII. suggested; and that it would be well to consider

1813. what Parliament had done on a former occasion, when the charter was renewed, and when it had not been thought advisable to accompany resolutions of a practical and specific character with principles of universal applicability. Mr. Grant said that the East India Company had never laid claim to the sovereignty of the country; they had only asserted that right in the soil which they conceived to be given them by the charter. The amendment was negatived. Lord Castlereagh then moved that the term for the duration of the charter should be twenty years, which Mr. Ponsonby proposed should be shortened to ten; in which he was supported by Mr. Creevey, who, however, gave a decided negative to the whole of the resolution. Lord Castlereagh maintained that a period of less than twenty years would be insufficient to enable Parliament to judge of the merits or defects of the system about to be established, and reminded the House that they retained the power of superintending and controuling the proceedings both of the Company and the Ministers. Mr. Canning voted for the shorter period; and Mr. Whitbread declared that, from what he had heard in the course of the debate, he should vote against the resolution. The Company had governed India badly, and had no right to the monopoly of the trade with either India or China. The amendment was rejected, but the minority was considerable. On the duration of the exclusive trade to China Mr. Canning also divided the House, proposing to limit it to ten years; a motion intended, no doubt,

to propitiate his Liverpool constituents. It was carried against him. An attempt was made, upon the third reading of the resolution, by Mr. Baring, to restrict the return trade to the port of London at least for a period of five years: but it was vigorously opposed by the representatives of the maritime towns, and especially by Mr. Canning, who denounced the proposition as an insidious attempt to destroy the whole scheme which Parliament had devised; for the outports, thwarted, crippled, and confined by such a regulation, would abandon the trade, and then the Company would again possess its monopoly undisturbed. The resolution was carried. Some further discussion ensued upon other clauses and resolutions, but they were agreed to; except the thirteenth, the debate on which was adjourned: it being understood that a bill should be, in the mean time, brought in on the other resolutions, and that they should be sent to the Lords.

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The thirteenth resolution, the object of which professed to be the affording of facilities and encouragement to missionaries to India, was the subject of a separate discussion on the 22nd June. In opening the debate, Lord Castlereagh felt it necessary to correct an erroneous impression that had gone abroad, that the resolution was intended to encourage an unrestrained and unregulated resort of persons to India for religious purposes: this was not the case. It was never conceived by the authors of the resolution that an unrestrained resort of persons with religious views would be consonant with the tranquillity and security of the British possessions in India; although they thought that no danger could

BOOK I. arise from allowing a certain number of persons, under the cognizance of the Court of Directors, who

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1813. were again controuled by the Board of Commissioners, to proceed as missionaries to India: with this impression he proposed the adoption of the resolution.

The principal speaker on this occasion was Mr. Wilberforce, who gave utterance to the sentiments of the whole religious party of the kingdom. He denied that the only object of the resolution was to secure to such missionaries as the Board of Controul should sanction, permission to go to India, and to remain there as long as they should continue to exercise the duties of their office in an orderly and peaceable manner. Another, perhaps a principal object, as expressed in the words of the resolution, was to enlighten and inform the minds of our Indian subjects, by which he understood their education; and from the diffusion of knowledge, the progress of science, and the circulation of the Scriptures in the native languages, he anticipated even more than from direct missionary exertion. He also disclaimed, as preliminary to the discussion, all intention to advocate for the conversion of the natives the influence of Government. With regard to the inveteracy and unalterableness of the prejudices and superstitions of the Hindus, Mr. Wilberforce argued, from their submission to so many changes in the constitution of the government and the administration of the laws, that they were not so incapable of adopting new opinions as had been represented: nor were they incapable of change, even in their religious sentiments; as was evinced by the multitude

of Mohammedans who formed part of the population, and who must have originated from conversion; by the formation of a whole nation, that of the Sikhs, who within a few centuries had thrown off the restrictions of the Hindu religion; and by the prevalence of numerous sectarial divisions amongst the Hindus themselves: nay, the work of conversion to Christianity had been going on for the last century with signal success, and there were at that moment hundreds of thousands of native Christians in the East Indies. So little were the Hindus indisposed towards the doctrines of the Gospel, that the most zealous, laborious, and successful missionaries, such as Swartz and others, had been the most esteemed and beloved of all Europeans among all classes of natives. In answer to the assertions of those witnesses who had vindicated the moral character of the Hindus, and affirmed that, if practicable, it was not desirable to effect their conversion, he quoted largely from a memoir on the Moral State of India by Mr. Grant, from the opinions of the judges and magistrates given in answer to a call from Lord Wellesley to report upon the moral condition of the people, and from the Appendix to the Fifth Report, to establish the general depravity of the people of Hindustan; and intimated that the opinions which had been expressed to the contrary only proved the justice of Burke's sarcasm, that Europeans were commonly unbaptized on the passage to India. The charge that he was bringing an indictment against the whole population of India, who had done nothing to deserve his enmity, he indignantly repelled; and accused those of being the worst enemies of the

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people of India who would keep those miserable beings bowed down under the yoke which oppressed them. The course he was recommending tended as much to their temporal as to their spiritual advantage; for the evils consequent upon the institutions and superstitions of the Hindus pervaded the whole mass of the population, and embittered the domestic cup in almost every family. Such were the effects of the distinctions of caste, which were more degrading and intolerable than the fetters of West Indian slavery; of the practice of polygamy; of infanticide; of the burning of widows, of whom ten thousand were annually sacrificed in Bengal alone; of the obscene and bloody rites of their idolatrous ceremonies; and of the destruction of human life, as instanced in the worship of Jagannath in Orissa, in whose service it had been computed, taking in all the various modes and forms of destruction connected with it, that one hundred thousand human beings were annually expended. Mr. Wilberforce then vindicated the character of Dr. Buchanan, and maintained the accuracy of his statements; and he defended the conduct of the Baptist missionaries in Bengal,¹ and claimed for them the merits of discretion and moderation, as much as for piety and learning. The statements and reasonings of Mr. Wilberforce were contradicted by a few of the members; but no serious opposition was made to the resolution, and it passed the House.

On the 28th June the resolutions were presented to the House in the form of a Bill, which, however, was not to be suffered to pass without further discus-

¹ See the preceding chapter.

sion, although little of novelty could be adduced by the speakers. On this occasion Mr. Grant entered into a long defence of the Company's government of India, in reply to the censures pronounced upon it by Mr. Rickards; and Mr. Lushington vindicated the moral character and the religious practices of the people of India from the unqualified and exaggerated assertions of Mr. Wilberforce. On the 1st July several clauses again underwent examination, but the thirteenth clause was the principal topic of debate. Sir J. Sutton, although friendly to the principle of the clause, objected to the open avowal that persons were to be sent to India for the propagation of Christianity, as its only effect would be to alarm and irritate the feelings of the people of India; and he therefore moved as an amendment, that, instead of the expression in the clause "for the above purposes,"—the propagation of Christianity,—it should be declared "expedient to send persons to India for various lawful purposes." Lord Castlereagh objected to the amendment, although in the wording of the clause he had endeavoured to satisfy other feelings than his own. But the clause enacted nothing; it declared nothing; it made no provisions for enforcing our religion, or abolishing that of the natives of India: it simply gave the weight and sanction of Parliament to the principle; but, so far from taking away or doing anything to interrupt or abolish the religion of the natives, its free exercise was in this very bill secured to them. Mr. Marsh then at great length replied to the former address of Mr. Wilberforce. He considered the provision as a most portentous

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novelty in Indian legislation. In all former modes of policy for the government of India, the inviolability of the religious feelings and customs of the natives was considered a sacred and undisputed axiom: a departure from that policy would shake our empire in that part of the world to its centre. The natives of India could not distinguish between the projects of those who had worked themselves up to a morbid enthusiasm on the subject, from plans countenanced by the authority and intended to be effectuated by the power of the state. They were too tremblingly sensitive on the subject of their religion, and too little versed in the nature of parliamentary proceedings, to be able to separate the acts and opinions of a large portion of the country acting permissively under the state, from the authentic and solemn act of the state itself. To give a licence to a missionary to go out to India, was to impair the authority of the Government abroad to send him back if he misconducted himself; and the probability of his so doing was sufficiently evinced by the dispatch from the Governor-General of the 2nd November, 1807, which stated several alarming instances of misguided and intemperate zeal, and of low and scurrilous invective circulated in the native languages against the feelings, prejudices, and belief of the people. Mr. Marsh then entered into a detailed argument to prove that the mutiny at Vellore, and the dangerous plots which were concerted in other parts of the Peninsula, originated in an alarm excited amongst the natives of their enforced conversion; which fears were confirmed by the activity of the missionaries in the Madras set-

tlement, instigated by the unusual countenance which they had received for some time previous to the massacre. Was it possible, he asked, that the House would fall into such a fit of absurdity and fanaticism, or be visited with so fatal a fatuity, as not to keep so awful an event before them in the grave discussion of matters affecting the religion of the country? Mr. Marsh then proceeded to question the practicability of converting the people of India to Christianity in spite of the existing institutions, and particularly that of caste; the loss of which, consequent upon the adoption of a new creed, subjected the neophyte to the most cruel of all martyrdoms—to separation from all the sweets of social communion, the ties of friendship, the charities of kindred, and all that life contains to support and adorn existence. He denied that the missionaries were fit engines to accomplish the greatest revolution that had yet taken place in the history of the world. He could not, he observed, sufficiently admire the inconsistencies and contradictions of some of the most ardent advocates of the clause; of those who would most jealously exclude from India persons invited thither by commercial enterprise, and having an obvious interest in carrying on a quiet, prudent, and conciliatory intercourse with the natives; and yet would throw open every port in the dominion to swarms of individuals whose nature and character it is to consider themselves absolved from all human restraints, and free from all human motives, in effecting the objects of their calling. Nay, the same reasoners, who would persuade us that the Hindus were unsuscepti-

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BOOK I. ble of change in regard to the use of European manu-
 CHAP. VIII. factures, would have us believe that they were ready

1813. eagerly to welcome whatever articles of spiritual novelty might be imported. The doctrine, that the people of India were so brutalized by the grossness of their superstition as to be incapable of any redeeming virtue, he denounced as founded on the falsest assumption; and vindicated their moral and intellectual worth from the calumnies with which it had been assailed by partial and prejudiced testimony. The moral obligation to diffuse Christianity, binding and authoritative as he admitted it to be, vanished when placed against the ills and mischiefs which were likely to follow its application to India. There never was a moral obligation to produce war and bloodshed and civil disorder; such an obligation would not exist, were the wildest barbarians the subjects of the experiment: but when, in addition to considerations sanctioned by justice and policy, it was remembered that the people we were so anxious to convert were in the main a moral and virtuous people, not uninfluenced by those principles of religion which give security to life and impart consolation in death, the obligation assumed a contrary character, and common sense, reason, and even religion itself cried out aloud against our interference.¹ The support given to the amendment proposed by Mr. Marsh necessarily produced a reply from Mr. Wilberforce. He defended the missionaries from the opprobrious terms which had been applied

¹ Substance of the Speech of C. Marsh, Esq., in a Committee of the House of Commons on the 11th July, 1813, revised by the speaker: London, 1813.

to them by Mr. Marsh, and denied that the transactions at Vellore were in any degree connected with their proceedings. He had the authority of the Governor of Madras and the Court of Directors for ascribing it to the military regulations which had been issued, and the extreme severity with which the manifestation of reluctance to obey them had been punished. The unsoundness of the conclusion drawn from this affair might inspire a reasonable distrust of the correctness of the persuasions entertained by the opponents of the measure with regard to the extreme sensitiveness of the people of India in regard to their religion, when the attempt to convert them was made in a spirit of conciliation, and when no other means were thought of but argument and persuasion. In fact, there were two remarkable instances on record of successful endeavours to root out inveterate and pernicious practices in India: the prohibition of sacrificing at the change of every moon many victims, chiefly children, to the river Ganges, which had been enacted by Lord Wellesley; and the suppression of infanticide in Guzerat, by the interposition of Colonel Walker. The law had been obeyed without a murmur; the interposition had brought down on Colonel Walker the benedictions of the people. One such instance as either of these was a sufficient encouragement to go forward, prudently and cautiously indeed, but with firmness and resolution.

It was not enough, however, to question the reality of the danger with which it had been endeavoured to intimidate the friends of the missionary exertions. It was time, Mr. Wilberforce added,

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BOOK I. for him to speak out, and to avow that he went much
 CHAP. VIII. further than he had yet gone; he maintained not

1813. only that it was safe to attempt by reasonable and prudent methods to introduce into India the blessings of Christian truth, but that true imperious and urgent policy prescribed the same course. He could not think that the British empire in India rested on a secure foundation; on the contrary, as long as the people and their rulers were separated from each other by such total differences of sentiment and opinion as now existed, it was impossible that the two should be united, or that the Government could depend upon the permanent attachment of its subjects, whatever benefits its administration might confer. Would we deserve their affection and secure our power, we should endeavour to perpetuate our influence by the gradual introduction and establishment of our own principles and opinions; of our own laws, institutions, and manners; and above all, as the source of every other improvement, of our religion, and consequently of our morals. The illustrious Albuquerque, when governor of Goa, forbade the burning of widows; and, so far was this from exciting popular discontent, that no governor was ever so much beloved. Long after his death, when a Moor or a Hindu had suffered wrong and could obtain no redress, he would go to Albuquerque's tomb and make an offering of oil at the lamp which burned before it, and call upon him for justice.¹

¹ These statements rest upon the authority of the Commentaries of the son of Albuquerque, and were furnished to Mr. Wilberforce by Mr. Southey. —Substance of Speeches, &c., p. 93.

But, after all, what was demanded? not that the Legislature should immediately devise and proceed without delay to execute the great and necessary work, but that it should not substantially and in effect prevent others from engaging in it; or rather that the Government should not be prevented from having it in its power to grant licences to proper persons to proceed to India, and continue there, with a view to disseminate Christianity. The commonest principle of toleration would grant much more than this: it was toleration only that was asked for; the advocates of the measure disclaimed all idea of proceeding by methods of compulsion or authority. The amendment that was now proposed came under a plausible and specious appearance, which only rendered it more dangerous. It proceeded from a spirit professedly favourable to the clause, and objecting only to its publicity. On this head, however, nothing was really to be apprehended, as it was in evidence that the greatest difficulty existed in making matters of the utmost interest known amongst the people: news and information of all kinds were slowly and inaccurately circulated in India. If the people should read the clause, which was extremely improbable, they would find in it expressed, for the first time Mr. Wilberforce believed, a clear recognition, an effectual security, of their right to preserve their religious principles and institutions sacred and inviolate; the clause would, therefore, produce satisfaction rather than discontent on that very subject of religion. Nor would the object of the enactment be effected merely by securing the power of licensing mission-

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BOOK I. aries: by affirming the duty of enlightening the
CHAP. VIII. minds and improving the morals of our East Indian

1813. fellow-subjects, it established the principle, and laid the ground for promoting education and diffusing useful knowledge of all kinds among them. When truth and reason should obtain access to the understanding of the natives, they would reject the profane absurdities of their theological, and the depraving defects of their moral, system: they would thus be prepared for the reception of Christianity. To omit the clause would be to omit from the act all mention whatever of religion or morals, and would leave the case as it was left by the charter of 1793, when, although the resolutions of both Houses of Parliament fully recognised the obligation of endeavouring to communicate to the natives of India the blessings of Christianity, yet, as it formed no part of the act of the Legislature, the body whose business it was to carry the provisions of that act into execution could not be chargeable with neglecting any duty which that statute ordained; when, so far from favouring, they rather thwarted and hindered the attempts of the missionaries. The neglect which was imputable to the former House of Commons would be still more glaring on the present occasion, as the subject had been brought so fully to its notice: and if, after all that had been urged, the same omission took place, it would be necessarily inferred that the Parliament upon due deliberation had disapproved of the project which had been offered by the advocates of Christianity; and the whole question had come to this, that, as Christianity was the religion of the British empire in Europe,

the religion of Brahma and Vishnu was to be the acknowledged system of our Asiatic opinions.¹

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Some further discussion ensued upon the subject of the proposed amendment, but it was rejected upon a division. Another attempt was made to get rid of the clause, upon a motion made by Mr. A. Robinson on the 12th June, when the report of the bill was received from the Committee. It was supported by Mr. Forbes and Mr. Tierney, and opposed by Mr. Stephen and Mr. Wilberforce, and rejected.

The main provisions of the bill having thus been carried, no opposition of any importance was made to the remaining clauses. Some additional provisions were suggested: one by Mr. R. Smith, for the appropriation of a sum of money for the promotion of native literature in the East, and the establishment of a native college or colleges; and Mr. W. Dundas proposed the appointment of a Scotch clergyman to each of the Presidencies, the majority of the British resident in India being Scotch, and of the Presbyterian communion. The latter proposition was withdrawn, upon the assurances of Mr. Thornton and Mr. Grant, members of the Direction, that the East India Company would do not only what was necessary, but all that could be required for the maintenance in India of clergymen of the Church of Scotland. A clause was proposed by Mr. P. Moore to enable the servants of the Company who had resided ten years in India to come to England

¹ Substance of the Speeches of W. Wilberforce, Esq., on the clause in the East India Bill for promoting the religious instruction of the natives of India, on the 22nd of June, and 1st and 12th of July, 1813, published by the speaker: London, 1813.

BOOK I. and return to India, retaining their rank in the service,
CHAP. VIII. without the customary form of receiving permission

1813. from the Proprietors; but this was objected to by Lord Castlereagh, on the ground that it was not the policy of the Government to multiply facilities for the return of the Company's most experienced servants to England. An attempt was made to delay the third reading of the report until the Proprietors of East India stock should have had time to read and consider the bill in its amended shape. Lord Castlereagh, however, considered that any delay would subject the House to inconvenience at so advanced a period of the season, and the bill accordingly was read and passed.

The resolutions adopted by the House of Commons were communicated to the House of Lords on the 17th June, and went through similar stages. They were introduced by the Earl of Buckinghamshire, and supported principally by Lords Liverpool and Melville; and opposed by Lord Grenville, Earl Grey, the Marquis of Lansdowne, and the Earl of Lauderdale, the latter of whom recorded a strong protest against the passing of the bill. The subject had undergone a fuller discussion at an earlier period of the session, on the 9th April, upon the motion of Marquis Wellesley for various papers, chiefly illustrative of the financial and commercial condition of the Company prior to 1812. On this occasion the Marquis regretted that the matter had not been submitted to Parliament at a time and under circumstances more fitted to its magnitude, before passion and prejudice had perplexed and interrupted the course of calm deliberation; before,

on the one hand, an idea had gone forth that the Government of the East India Company was incapable of improvement, or, on the other, a wild and frantic notion had been set afloat of throwing open the whole trade to India. The principles of political economy, however true in the abstract, were inapplicable to a case so complex as that of the Company, in which commercial and sovereign interests were intimately blended by the manner in which they had grown up together. Such a combination might be anomalous, but it was practically good: it ought not to be altered merely on account of its anomalous character.

Lord Wellesley then advocated the continuation of the Company's commercial privilege of exclusive trade to India as well as to China. It might be true, although he did not admit the fact to the extent to which it had been asserted, that the former was attended with loss; but it did not therefore follow that it ought to be taken away: it was very possible for one branch of an extensive commerce to be less profitable than others, and yet the connexion between them be so intimate that its discontinuance would expose the whole to ruin. This was the case with the Company; and the Indian trade was equally essential to the maintenance of their commerce with China, and of the political administration of the government of India. Nor was it less essential to the interests of Great Britain that the trade with India should be subject to restriction; as, if it were thrown open, he was certain the products of the Indian loom would supplant the cotton manufactures of the country in all the

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BOOK I. foreign markets, and would essentially interfere even
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1813. then were, What had been the effects of the combination of powers? were they so mischievous as to require a total change, or so beneficial as to deserve careful and considerate improvement? In his opinion, there never was an organ of Government so administered as to demand more of estimation than the East India Company: that administration had been productive of strength, tranquillity, and happiness; the arts of peace and agriculture now flourished where ruin and desolation had prevailed; the situation of the natives had been ameliorated, and the rights of property secured, by the permanent settlement, the extension of which, in due season, to other provinces than those in which it had been established was alone wanting to its entire success. No Government had better fulfilled its duties towards its subjects than that of India.

Lord Wellesley then criticised the several resolutions *seriatim*. Of the first he remarked, that the exceptions it provided for, not only impaired, but destroyed, the whole benefit of the grant: of the third, that allowing British subjects to trade with India, was of a similar tendency; and that the unrestricted influx of Europeans involved great danger to the stability of the Government and the happiness of the people. The power of sending back unlicensed persons, now exercised by the Government, could not co-exist with a free trade; nor could individuals engaged in the trade be limited to the Presidencies. They would have a right to seek for a market in the interior; and, once scattered over

the country, they would endanger the efficacy of the Government, and outrage the prejudices and habits of the natives.¹

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The extension of the import trade to the out-ports, Lord Wellesley insisted, was objectionable on various grounds: the danger of interference with the national manufactures, the additional expense and difficulty of guarding against illicit speculation, and the injuries it would produce upon the commerce and the shipping of the port of London. If the question were one of a free trade in the true sense of the word, he would not oppose it; but if the House could not give freedom of trade without injuring great political rights, and without destroying vast capitals which had been expended on the undoubted understanding and good-faith of the existing system, they could not be justified in acceding to the measure.

His lordship then proceeded to notice what he

¹ Lord Wellesley's advocacy of the Company's retention of their Indian trade was, in spirit at least, a wide departure from the sentiments he had formerly expressed, when he affirmed "that the interests of the Company and of the British nation were undivided and inseparable with relation to this important question, and that every principle of justice and policy demanded the utmost possible facility to the British merchants in India for the export of Indian merchandise beyond the amount of the investment which the Company's capital was able to provide for; and for which branch of commerce, if capital did not exist in India, no dangerous consequences could result from applying to it funds derived from Great Britain." Beneficial consequences, he affirmed, would certainly result to the British empire in India from any considerable increase of its active capital. The extension of the trade would not, he argued, necessarily produce a proportional augmentation in the number of British agents resorting to India; and, if it should, the local Government would controul their operations with more ease than it could those of foreign agents to whom the trade was then open. The noble writer was obliged, by his position, to insert some saving clauses regarding the preservation of the Company's exclusive privileges, but his main object was decidedly to vindicate at that period the policy of giving ample space and verge enough to private commerce.—Letter from the Marquis Wellesley to the Court of Directors, 30th Sept. 1800; printed London, 1812.

BOOK I. regarded as omissions in the resolutions. He had
CHAP. VIII. never advocated the separation of the royal autho-

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rity from that of the Company, but he thought that some improvement was required : a most essential point was, that the local Governments should know to whom they were responsible. The instructions sent out to them, however important, were now liable to be disavowed at pleasure ; there was no provision for this purpose. Not a word was said of the army, except as regarded the quota of King's troops ; but he thought it highly essential to define a limit between civil and military duties, by which all difficulties and disputes might be avoided ; and he considered also that it was the duty of the Government to devise some means of conferring honours on the Company's officers, who were now held forward to the public much less frequently than officers in other parts of the world, and felt that honours and distinctions conferred for services not more meritorious than their own were withheld from them. Whilst approving of the proposed addition to the ecclesiastical establishment, he thought it important to take care that there should be no collision between the Government and the Church establishment with regard to their respective powers ; and he was surprised to find that nothing had been said regarding the education of either the civil or military servants of the Company. He thought it would be the most dignified and proper mode of combining religion with learning in India, as we were accustomed to see the association in England, by connecting the proposed Church establishment with the College of Fort William.

With respect to extending Christianity to the natives of the East, Lord Wellesley declared there was no person less willing than himself to throw a shade over so bright a prospect; but, if success was to be expected, it must proceed from temperate and gradual proceedings: the measure should not appear to be recommended by the authority of the Government, because in the East the recommendation of the ruler is supposed to be almost equivalent to a mandate. He never heard when in India of any danger from the missionaries: he had always considered those who were there in his time as a quiet, orderly, discreet, and learned body; and he had employed many of them in the education of youth, and in translating the Scriptures into the languages of the East. He had regarded it as his duty to have the Scriptures translated, to give the natives access to the fountains of divine truth. He thought that a Christian Governor could not have done less, and he knew that a British Governor ought not to do more. In conclusion, he observed, that if a project had been formed for the complete demolition of the Company, and the creation of an entirely new system, the plan might have been called bold and decisive; but in the scheme now proposed no such vigour was to be traced. The Company was to be continued as the organ and instrument, without any power or authority, and was to be called upon to discharge duties which it was incapacitated from performing: no commensurate advantage was offered to the country; the revenues would be endangered, the manufactures be perhaps ruined, and no additional benefit could be derived from an open trade. He

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1813. therefore felt it his duty to resist any general alteration of the system; and in order to place his views in the clearest light, and support them by facts, he called for various documents necessary to elucidate the subject.

The Earl of Buckinghamshire, in reply to Lord Wellesley's objections to a free trade, quoted the dispatch written by the latter as Governor-General in 1800, when he had strenuously urged the enlargement of the private trade, and denied that any great influx of Europeans was likely to arise from it, or the impossibility of maintaining an effectual controul over their proceedings even if their number should increase. If such were the opinions of the noble lord when he was Governor-General of India, he could scarcely expect to excite in the minds of the members of that House an apprehension of dangers which did not alarm him in the responsible situation he then held. Lord Buckinghamshire then repeated the arguments used in the other House, maintaining the probable increase of the import trade from India, the practicability of providing against smuggling; and concluded by anticipating no results injurious to the Company, but substantial benefits to the great interests of the commerce of the United Kingdom.

The Earl of Buckinghamshire was followed by Lord Grenville, who took a view of the subject differing from those of both the preceding speakers. The present deliberations of the House embraced the whole question of our future relations with India, the government of a vast empire, and the regulation of the British commerce with every port

and country between the southern promontories of Africa and America. It was a deception to speak of any existing rights by which a consideration so immense and momentous could be circumscribed. The charter of the East India Company was originally granted, and had since been renewed, for limited periods. On their lapse the trusts and duties of that great corporation, its commercial and political monopolies, expired together. All public right, all public interest in the subject, thenceforth devolved on British legislature, bound by no previous grant, fettered by no existing law, and having regard only to the principles of moral duty, and to the rules of a wise policy and enlightened government.

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The measures that had been heretofore adopted Lord Grenville considered as experiments which had not always been successful, and which furnished no precedent for the course now to be pursued. Whatever was to be done was not therefore to be placed out of the reach of revisal, even for the period proposed: twenty years would at any time be too long a period for farming out the commerce of half the globe, and the sovereignty of sixty millions of men; and it was still more so at a season when the events, not of twenty years, but of the next twenty months, might be decisive of the whole fate and fortunes of the British empire. He therefore thought that the continuance of any plan that might be devised should be limited to the return of peace.

Lord Grenville then proceeded to assert that the primary object to be regarded in the present arrangement was, not the confirmation of the Com-

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pany's privileges, but the distinct avowal of the principle that the sovereignty of India resided in the sovereign of Great Britain. To ask whether any territory, dominion, or political authority in any quarter of the globe could be conquered by British arms, or acquired by British negotiation, otherwise than to the British Crown, were to ask whether we lived under a monarchy or a republic. The assertion, because it was undeniable, was not indifferent. A manly avowal of the sovereignty of the Crown would have prevented many of the evils experienced in India from conflicting and ambiguous authority, was necessary for the effective controul of British subjects in India, and still more for the restraints to which, upon the restoration of peace, foreign nations would be exposed in their intercourse with that country, as they would never submit to be excluded from free access at the will of a trading company, claiming despotic power over that vast empire, not as the delegates of their own king, but as the pretended ministers of a deposed Mogul, a feigned authority derived from an extinct dominion.

The sovereignty which we had hesitated to assert, we were now compelled to exercise; and Parliament was once more called upon to give laws to India. And what was the plan pursued? the very reverse of that which should have been followed. The interests of the people of India, their security, their happiness, their improvement, were first to have been provided for; and then, but far below them, the interests of Great Britain. Instead of this, the plan of the Ministers and the recommendations of

Lord Wellesley had in view the entire or partial perpetuation of the privileges of the East India Company. To neither of these would he give his concurrence.

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The existence of the blended character of merchant and sovereign, on which the whole of the Indian system was based, was, in Lord Grenville's opinion, an anomaly inconsistent with all sound principles of commerce and of government: no sovereign ever traded for a profit; no trading company ever yet administered government for the happiness of its subjects. The unerring principles of political economy had never been so fully illustrated as in the history of the East India Company. For fifty years they had exercised dominion over a country the commerce with which had from the earliest ages enriched all who had engaged in it, and in the last few years since the renewal of the charter they had lost by their trade four millions sterling. With the country which they governed they lost by the commerce which they monopolised; and they traded with profit only to China, where they had neither sovereignty nor monopoly, —not even the common benefit of free access, being condemned to a commercial quarantine in the solitary emporium of Canton.

But it was not so much for its own sake, it was asserted, that the commerce of the Company was not to be interfered with; but because its preservation was absolutely necessary to enable the Company to conduct the government of India, and this government could only be beneficially administered through their instrumentality. This Lord Grenville denied.

BOOK I. If it was true that British India was in the happy
CHAP. VIII. and prosperous state in which it was described to be,

1813. the merit was not due to the Company's administration: as long as that continued uncontrouled, scarcely an interval of three years could be found in which the inherent vices of the system did not forcibly compel the interposition of Parliament. The law of 1784 was the source of whatever benefits India had enjoyed: it was the line of demarcation between the bad and good government of that country. It was a delusion, therefore, to relinquish any just hopes of extending the commerce of the country, from the fear of embarrassing the Company's political function. He was ready to admit, however, that, if the patronage of the Company were transferred to the Crown, it must weigh down the balance of the constitution; but he thought it very possible to devise a middle course. The highest offices of the Government of India were already in the gift of the Crown. For all the servants of the Company, civil or military, below the Council, the regulations actually in force might still be continued; and all that remained for disposal was the appointment of writers and cadets. The former might be chosen by competition from the great public schools and universities: the latter might be nominated, by some fixed course of succession, from the families of officers who had fallen in the discharge of their duties. These were mere suggestions; but he entertained no doubt that, if the occasion should call for such provisions, they might be so contrived as to preserve the integrity and efficacy of the Indian services, without adding in the slightest degree to ministerial influence.

Lord Grenville next maintained that the continuance of the Company's trade was not expedient for the sake of effecting remittances to meet the demands payable in England on account of the Government in India. If a subsidy were wanted for the Continent, the Ministers would never think of sending their agents to the ports and manufactories to purchase the goods in which the remittances would really be made: they would contract as cheaply as they could; probably by open competition with merchants for their bills, through which their whole purpose would be at once effected. A similar course might be pursued in India. No doubt, all such remittances must be in some degree detrimental to the prosperity of India, constituting a drain for which no return was made but in protection and good government; yet, if conducted through an open trade, and regulated by a due consideration of the state of the country, he saw no reason to believe them incompatible with its rapid and permanent improvement. One obvious compensation, however, to India, was to throw her markets open to British capital and enterprise; and secure to her, as far as legislation could secure it, the fullest benefit of the most unqualified commercial freedom.

The arguments against opening the trade, on the grounds that it was unsusceptible of profit or extension, were then combated by the noble earl. The skill and vigilance of the private trade would realise a profit, where the Company's management entailed a loss: the private trade, under all the disadvantages under which it laboured, had augmented; and the

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BOOK I. Americans had carried on a lucrative and growing
CHAP. VIII. commerce with India until it was interrupted by hos-

1813. tilities. All history showed that commerce would increase by commerce, and industry by industry. India was no exception to the universal law; and her people would derive from the extension of trade, as every other people had done, new comforts and new conveniences of life, new incitements to industry, and new enjoyments, in just reward of increased activity and enterprise. The same principles applied to the trade with China, the exclusive possession of which by the Company he should as deeply lament.

Alluding to the tone adopted in the Fifth Report when speaking of the permanent settlement, Lord Grenville expressed his entire concurrence with Lord Wellesley in the wisdom and benevolence of the arrangement, and his dread of the disposition intimated by the language of the report, if not to discredit the original measure, at least to discountenance its proposed extension. He thought it, therefore, highly necessary to insert in the new act a declaration of the principle, such as it was declared in 1784; and to place the Government of India under the obligation of applying, at a convenient season, to the Ceded and Conquered provinces the system of settlement effected in Bengal. Above all he wished, by a solemn and authoritative declaration of this purpose, to prove to the natives the permanency of the principle of right, and to impress them with a conviction that a British Legislature estimated the security of their property far above the possible increase of its own revenue.

Lord Grenville then briefly adverted to the diffi-

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culties attending the military part of the Indian system; the only remedy for which he conceived to be the open establishment of the King's authority over that, as well as other parts of his dominion: to the defects of the administration of justice, the state of the present internal legislation and police, and the unauthorised power of taxation in the local Governments, all of which required deliberate consideration: and he concluded by pronouncing an unqualified encomium on Marquis Wellesley's collegiate institution, the plan of which was limited and mutilated, and existed only as a wreck of its first noble design. Of the establishment by which it was partially replaced in England he spoke with strong disapprobation and regret: not that he objected to any degree of attention that could be given to the earliest instruction and discipline of those who are destined for the Indian service; but he objected decidedly to their separation in education from youths of their own age and station in life, and to the formation of them into a separate class. Instead of rejecting, they should, he thought, have eagerly embraced the advantages which the great public seminaries afforded; not only for what they professed to teach, but for what was there only to be found, that best of all education to a public man, which forms the mind to manly exertion and honourable feeling,—the education which young men receive from each other in the numerous and mixed society of their equals, collected from various classes of society, and destined to various ways of life.¹

¹ Speech of Lord Grenville on the Marquis of Wellesley's motion in the House of Lords on Friday the 9th of April, 1813; published under the revision of the speaker, London, 1813.

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The Earl of Liverpool briefly replied in defence of the resolutions, and the House agreed to the motion for papers made by Marquis Wellesley.¹

The passing of the bill by the House of Commons, and the certainty that it would suffer no material, if any, changes in the House of Lords, imposed upon the Court of Directors the necessity of submitting to their constituents the alternative of either accepting or refusing the charter now offered. They resolved to recommend its acceptance ; as, although it involved changes which they had firmly opposed, and which could not but be injurious to the Company's trade with India, yet, in the retention of the exclusive trade with China, and the provisions made for the payment of the Company's dividends, it presented sources of profit and security which might in some degree compensate for the losses which it inflicted. The wild and sanguine expectations of an indefinite extension of the trade had been so far subdued by the arguments of the Court and the general voice of men of Indian experience, that the merchants were likely to embark in it with caution and moderation : consequently there was less reason than at first to apprehend a sudden and numerous influx of Europeans into India, by which its tranquillity would be endangered ; or of a great resort of vessels to the Eastern seas, by which a mischievous and illicit trade with China might be carried on. The regulations respecting the size of the ships admissible into the trade, the licensing of persons to proceed to India, and the additional powers of controul over them when in India, vested in the local Govern-

¹ Parl. Debates in the House of Lords, 9th April, 1813.

ments, were further calculated to alleviate these apprehensions. The fears of the Court for the security of the dividend, on which, as had been repeatedly urged, the Company's efficiency for the discharge of their political functions depended, had been proportionably abated: on this latter subject the first views of the Ministers had been materially modified by the representations of the Court.

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By the engagements finally adopted the commercial profits of the Company were not to be liable for any territorial payment until the dividend was first satisfied; and, if in any year the fund for the dividend should fall short, the surplus of territorial income for the year preceding was to be liable for the deficiency. By the last charter a million sterling per annum was to be reserved from the surplus revenue as a provision for the Company's investment; a condition wholly nugatory, as no surplus existed. By the present it was stipulated that a sum equal to the disbursements at home on territorial account should be paid yearly out of the revenues for investment; and this secured to the Company commercial capital in India to an equal amount, in addition to the proceeds of goods and stores exported from England. With regard, also, to the amount of Indian debt transferred home, the bill contained an important provision; that, in case sufficient funds should not remain after payment of the dividend to discharge all such bills as should be drawn for the interest of loans contracted in India before the 10th April, 1814, the residue of those bills should be discharged in such manner as Parliament should from time to time direct. In all

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these respects, therefore, the security of the dividend, of the home funds, and of annual advances in India for the investment, the new charter might be considered an improvement on that which the Company held.

The additional powers of controul vested in the Board of Commissioners by the bill were no doubt mortifying to the Court of Directors; but they mostly fell within the scope of the general powers given to the Board by former acts, and their operation would depend upon the spirit in which they were exercised. If that spirit were temperate and just, it would be practicable to carry on the Company's business: if they were used in a way which men of character and liberal feeling could not brook, the issue might be serious to the system of the Company.

Upon a careful consideration then of the comparative advantages and disadvantages of the bill, the Court, although they deeply felt the loss of power and privilege which it inflicted upon the Company, recommended to the Proprietors to accept the charter; trusting that if obstacles to its execution should arise, and the Company be unable, after a fair trial should have been given to it, to act under its provisions, the Parliament which had prescribed the terms would be disposed to relieve them of the burthen. Should such relief not be given, the Company would have the time and the means of making a more deliberate and safe bargain with the public than if they threw up their privileges at the present moment; whilst there would then be a better opportunity of providing also for the future govern-

ment of those immense possessions which the Company had acquired for the country; possessions of which the interests must ever be dear to them, and the most powerful of the motives for continuing as long as they could with safety in the management of that empire which had so much flourished under their care, and for the prosperity of which their system appeared to be peculiarly calculated.¹

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The recommendations of the Court of Directors were communicated to the Court of Proprietors held on the 16th and adjourned to the 21st July; and it was finally resolved, that although the Court could not contemplate the bill with satisfaction, yet, deferring to the sense of the Legislature, and relying on its wisdom and justice in the event of the expectations held out by the act being disappointed, they determined to accept the charter. The thanks of the Proprietors were voted to the late and present Directors for the talent, zeal, and perseverance with which they had struggled to maintain the rights and support the interests of the Company.²

Thus closed a contest in which the first serious blow was inflicted on the monopoly of the East India Company, after it had been enjoyed by them for two centuries. During this period a mighty empire had been raised upon the narrow foundations of exclusive commerce. Upon no other basis could the edifice have been reared. An indiscriminate resort of individual, unconnected, and often

¹ Minute of a Committee of the whole Court of Directors, 15th July, 1813; Papers, &c. p. 492.

² Proceedings of a General Court of Proprietors, 21st July, 1813; Papers, &c. 521. See also the Debates on the Charter at the India House during the first six months of 1813; separately published, London, 1813.

BOOK I. hostile competitors could not have been attended
CHAP. VIII. with a consistent or enduring course of operations;

1813. and must have subjected the trade with India to a feeble and precarious existence, dependent upon the caprice and venality of the subordinate officers of the native governments, and momentarily menaced with extinction by the follies and passions, the avarice and the ignorance of Asiatic despots. Adventurers isolated and at variance with each other would have been in no situation to resist injustice, repel aggression, or avenge wrong: much less would they have been able to place their commerce in an attitude not merely of defence but of defiance, and to apply the resources which it furnished to the acquirement of political power. In the struggle for sufferance which they would have had to maintain in their limited ambition of effecting a successful trading speculation, it could never have dwelt within their imaginations to gain a firm and lasting footing on the soil of India, to put down and set up princes, to seize upon and hold amidst difficulty and danger masterdom and sway. The oneness of the Company for so long a period consolidated their commercial system, enabled them to baffle and defeat rivalry and opposition, to exact retribution for injury, and, as the field expanded, to extend their views beyond the circumscribed horizon of purely commercial profit. At the same time, this result, although inseparable from the system, was neither projected nor foreseen by its authors, and was brought to maturity in spite of their repeated disapproval, or at best with their reluctant and unwilling confirmation. The East India Company's territorial

dominion was not the acquisition of the Company so much as of the Company's servants, who, often in disregard of the wishes of their masters, and sometimes in disobedience of their positive commands, entered with no common audacity, determination, and foresight, in the promising path which the distracted state of Indian politics laid open to their ambition; and, with energies and talents of more than ordinary natures, applied the superior resources of civilisation to secure rich fragments of the scattered reliques of native misrule, and remodelled them into the rudiments of power, of infallible future expansion. This was not the work of the Company, although it never could have been brought to pass by any other instrumentality than that of the Company's Indian servants. It was the work of Clive, of Hastings, of Cornwallis, and of Wellesley, aided and impelled by the irresistible force of circumstances, by the inconsiderateness and temerity of the native princes of India, and by the superior energy of the European character.

Whatever its origin, however, the system was now mature; and, whatever the assertions of the Company's advocates, it was no longer in need of national commercial sacrifices for its continuance or development. On the contrary, the longer duration of the connexion was mischievous. As sovereigns of India, it was the duty of the Company to look alone to the interests of the people whom they governed; as a trading body, it was their interest to secure to themselves as large a pecuniary profit as such a capacity justified. An exclusive privilege of trade, that barred all competition, necessarily pre-

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cluded the people of India from purchasing foreign commodities at the lowest price, and from realising the fullest value for the proceeds of their own industry. To the people of India the Company's monopoly was as injurious as it was to individual enterprise in Great Britain; and the period had undoubtedly arrived when the best interests of both countries demanded its extinction.

Although extraordinary talents, zeal, and perseverance were displayed in the discussion on both sides, yet we are now able to decide from events that there was little of sound judgment or prophetic prescience in any of the contending parties. The twenty years of the renewed charter rolled away; and colonisation, which was so confidently predicted as its unavoidable consequence, was as little probable at its close as at its commencement.¹ Neither had it been found more difficult than before to protect the native population from the turbulence or violence of European settlers. The predictions, equally confident, that the trade was unsusceptible of extension, and that no new article of export could be introduced,—predictions in which the most intelligent officers of the Company concurred, and to which even the advocates of free trade, however reluctantly, assented,—were signally falsified. The trade, both export and import, did obtain a considerable augmentation under the new system; and articles entirely unknown in the annals of Indian

¹ The whole number of applications for licences between 1814 and 1832 was but 1547: of these, 1253 were complied with by the Court, and 71 by the Board; making the whole number of persons, not in the service, who proceeded to India with leave in the course of eighteen years, 1324.—Commons' Committee, 1831; General Appendix, p. 368.

imports were exported thither from Great Britain to an immense amount, to the extinction of several similar products of domestic labour.¹ This effect was prepared for, as has been noticed, by an iniquitous abuse of the power of Great Britain in excluding from her own consumption the principal manufactures of India, and in opening the ports of India to those of Britain free of charge; but its actual occurrence was little anticipated by any of those who urged or resisted the removal of the restrictions on the trade.²

The proceedings that took place on this occasion have been detailed at length, because it is of import-

¹ The value of the whole of the private trade with India was, in 1814-15, Rupees 13,54,19,460, or £13,549,146; in 1826-7 it was, Rupees 14,83,33,640, or £14,833,364: being an increase of £1,284,218. The latter period affords an unfavourable view of the state of the trade, as it was one of commercial depression. The average value of the whole private trade for fifteen years subsequently to 1814-15 was more than seventeen crores or seventeen millions sterling per annum, being an advance of nearly four millions a year.—Lords' Committee, 1830, App. B. 5, and C. 40. In 1813-14 the value of cotton goods imported into Bengal was £47,000. In 1827-8 it was £561,000. In the former year cotton yarn was unknown: in the latter the value imported was £188,000. Spelter was another article of import not known at the earlier date. At the latter it was imported to the value of nearly £120,000.—Wilson's External Commerce of Bengal. These articles were permanent innovations; for in 1843-44 the value of yarn imported into Bengal alone is reported to be £515,000, of piece-goods £1,516,667, and spelter £68,000.—Wilkinson, Report External Commerce of Bengal, 1843-4.

² There seems to have been but one person connected with the trade to India who distinctly anticipated the possibility of such a revolution; and this was not on the present, but on a former occasion. In a debate on a motion for papers to illustrate the comparative value of private British and foreign trade with India, in the House of Commons on the 14th March, 1806, Mr. Alderman Prinsep, speaking of the probable substitution of raw cotton for cotton goods in the ships of private traders, made the remarkable observation, that a sufficient supply of the raw material would accelerate the period which he saw approaching, when the natives of India should be supplied with cloth made in England of their own cotton, leaving to the mother country all the profits of freight, agency, commission, insurance, and manufacture: all these and many other beneficial results would follow an extension of the private trade.—Hans. Parl. Debates, 14th March, 1806.

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ance that a readily accessible record should be preserved of the sentiments of the many very eminent persons who, both in Parliament and in the Direction, took a principal part in the discussions, and because the nature of the connexion which united the trade of the East India Company with the sovereignty of India now first underwent a fundamental change. It may also be of use to contemplate the spirit by which the opinions of wise and good men were unconsciously inspired, and to observe how personal interests and cherished prejudices distorted principle and darkened judgment. With few exceptions, and those exercising little or no influence, the charter of 1793 was discussed upon no widely or liberally comprehensive views, upon no distinct perception of the advantages which it might realise for Great Britain, upon no generous purpose of providing India with a compensation for the evils inseparable from the sovereignty of strangers. Professions of a concern for the interests of India were, it is true, not unsparingly uttered, but it would be difficult to show that the majority of the parties who engaged in the discussion were solely instigated by a disinterested regard for the welfare of the Indian subjects of the Crown. The Ministers, it was evident, had mainly in view the extension of their own influence; and, as the bill proceeded, made obvious sacrifices to party, and adopted clauses to which they were themselves indifferent or opposed, in subservience to particular interests, in order to conciliate parliamentary support. In their original correspondence with the Court no mention was made of the outports, and the extension to them of the import trade from India

was extorted by their clamour and perseverance. The legislative encouragement yielded to missionary labours was also a graft upon the original design, with the purpose of propitiating a numerous and influential party. Nor were they negligent of their own advantages; and in the provisions made for the nomination to the episcopal see, and for the confirmation of the appointments to the highest temporal situations, extended, as far as they were then prepared to extend it, the patronage of the Crown. The advocates for the authorised extension of missionary efforts, although they might claim the merit of disinterestedness, were little entitled to credit for candour or discretion. Placing implicit and indiscriminating reliance upon exaggerated and erroneous descriptions of the condition and character of the Hindu and Mohammedan population of India, they disregarded the danger of precipitately attempting their reform, and overlooked the possible peril, that, where a state withholds its protection from the national faith, the people may exercise the right, as they have the power, of protecting it for themselves. The merchants and manufacturers of the United Kingdom avowedly looked only to their own profits; and, in the struggle between London and the out-ports, was re-acted the battle for exclusiveness which had previously been fought between the London merchants and the Company. Deprived of the monopoly of the trade, the Company made a stand for warehouses and sale-rooms; and, despoiled of these, sought consolation in the security of their dividends. All these motives and considerations were appropriate and venial as regarded the indivi-

BOOK I.
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- BOOK I.** dual and peculiar interests and feelings of the per-
CHAP. VIII. sons concerned, but they were little worthy of their

1813. collective capacity of arbiters of the destinies of
India.

END OF THE FIRST BOOK.

APPENDIX.

I.

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CLAIMS OF THE PESHWA UPON THE GAEKWAR.

*Schedule of the Sums due to the Poona State from
the Gaekwar's Government.*

	<i>Ruppes.</i>	No. I.
Balance of an account settled in 1798 . .	39,82,789	
On account of presents 7,79,000		
On account of troops (3000) not maintained 6,75,000		
	<u>14,54,000</u>	

N.B. These sums have been accumulating for
ten years 1,45,40,000

Damaji Gaekwar conquered the country of the Babi, upon condition of assuming half, and delivering the other half to the Peshwa; and that a karkoon on the part of the Government should settle this: and a memorandum be given in of the division, and that the places were to be given up in the year 1740, and whatsoever was due before this period was to be remitted. This was never carried into effect. In the year 1771 the Gaekwar paid one lakh of rupees, and in the next agreed to pay 25,000;

Carried forward 1,85,22,789

No. I.

Rupees.

Brought forward . . .	1,85,22,789
and, when Fateh Sing Gaekwar should come, then it should be executed. This was settled in 1765, but has never been carried into effect; therefore a lakh of rupees per year is due for thirty-seven years	37,00,000
In the year 1794 the dignity of Sena-khás-khel-Shamshir Bahadur was granted to Govind Rao Gaekwar, besides lands, for which 56,38,001 rupees were given. He died; and the same honours and lands were granted to his son, for which he is to pay	56,38,001

The whole amounting to . Rs 2,78,60,790

In the year 1796 it was agreed that 3000 horsemen should be furnished, and upon a requisition 4000; and that one of the Gaekwar's relations should remain at court; and that the troops should at all periods be in readiness, and, if not necessary, that a sum of money should be given in lieu.

Ahmedabad is under two authorities, but the same arrangements continue as under Madhu Rao; and, if any deviation should have been admitted, let it be abolished.

You agreed, in the year 1792, to give the Sirkar three of your best elephants and five horses; but it has not been done: therefore fail not to do it now.

In the year 1793 you borrowed, through our intervention, the sum of one lakh of rupees, for which we were securities, and agreed to pay the bills drawn upon you; but this has not been done: therefore do so now, and pay the interest.

You were also bound to present a lakh of rupees' worth of jewels; but this has not been done: do so now, and adhere to the engagements which were concluded in the time of Madhu Rao.

You owe Balaji Naik Bhora Soukar a sum of money, No. I.
 for which Government became security. Liquidate this
 at the rate of one lakh of rupees per annum, and so treat
 Mulhar Rao and his family as to prevent his complaints
 reaching Government.

In addition to this, engagements were also made in
 which you admitted the sum of Rs 78,33,212
 but only paid 28,13,325

So that there is still a balance of . . Rs 50,19,887
 Let this be settled.

You have held the village of Rani, in the
 Pergunna of Sandi, for these thirteen years,
 which was worth 2000 rupees per annum. Pay
 this money, and deliver up the village to the
 Kamavisdar 26,000

50,45,887

and wherever the villages have been assessed let the money
 be returned.

Several of the papers having been destroyed or laid
 aside during the irruption of Holkar, the accounts cannot
 be completely made out; but, as the records are found,
 other items shall be inserted.

In the year 1796 bills were drawn upon you: let an
 account be furnished.

II.

PAGE 70.

Holkar's Proposition, 11th Dec. 1807, to Sindhia.

1. His highness the Peshwa is our sovereign, and we No. II.
 are his servants. Let us therefore, like our ancestors,
 continue to obey his orders.

No. 11. 2. Let us keep on friendly terms with the Bhonsla and other Sirdars of the Peshwa, and let us consult with them on all occasions.

3. Let the agreements which passed between us at Subbulgerh under the sanction of our oaths be abided by, and let not the terms of friendship which existed between our ancestors be departed from.

4. Any Aumils or officers of either party, who may proceed into the country of the other with a force, will take the greatest care to preserve the country. Should they, contrary to the orders of their master, exact any money from the country, their master will account for it.

5. Should any new enterprise be contemplated, it shall be carried on by mutual consultation.

6. That our friendship may be preserved, and doubts between us be done away, let neither endeavour to tamper with the army of the other; and, should any Sirdar quit the service of either party, let him not be retained by the other.

7. The money collected by Meer Khan from the Mahauls of Sadourah and others, the five Mahauls, shall be repaid to Maharaja Dowlat Rao Sindhia.

8. Let the money which may have been collected by the Soobahdars of one party from the Mahauls of the other since the settlement of differences at Subbulgerh be accounted for mutually.

9. Let a respectable Vakeel from each party attend the Durbar of the other. Let the tribute from the other Rajas and wealthy chiefs unconnected with us, as the Gaekwar and others, remain in the hands of those who have been accustomed to collect them. In this we have no concern. Should, however, it so happen that any new arrangement in regard to them should be proposed, let it be prosecuted by our joint counsels and consent.

10. If any of the ministers or Aumils of either part should treacherously seek the protection of the other, let him not be protected, but delivered over to the state he

belongs to ; but, if he be a man of rank, let the matter of dispute be fairly inquired into and adjusted. No. II.

11. Let the tributes for Jaypore and Joudhpore continue to be collected as they were in the time of our ancestors. You (Sindhia) will not create any disturbance in the country of Jaypore, nor will I (Holkar) interfere in the country of Marwar (Joudhpore).

Let these eleven propositions be well considered, and an answer returned to them.

III.

PAGE 140.

Proclamation.

THE Right Honourable the Governor in Council No. III.
 having observed that in some late instances an extraordinary degree of agitation has prevailed among several corps of the native army of this coast, it has been his Lordship's particular endeavour to ascertain the motives which may have led to conduct so different from that which formerly distinguished the native army. From this inquiry it has appeared that many persons of evil intentions have endeavoured, for malicious purposes, to impress upon the native troops a belief that it is the wish of the British Government to convert them by forcible means to Christianity; and his Lordship in Council has observed with concern, that such malicious reports have been believed by many of the native corps.

The Right Honourable the Governor in Council deems it therefore proper in this public manner to repeat to the native troops his assurance that the same respect which has been invariably shown by the British Govern-

No. III. — ment for their religion and for their customs will be always continued; and that no interruption will be given to any native, whether Hindu or Musselman, in the practice of his religious ceremonies.

His Lordship in Council desires that the native troops will not give belief to the idle rumours which are circulated by enemies of their happiness, who endeavour with the basest designs to weaken the confidence of the troops in the British Government. His Lordship in Council desires that the native troops will remember the constant attention and humanity which have been shown by the British Government in providing for their comfort, by augmenting the pay of the native officers and Sepoys, by allowing liberal pensions to those who have done their duty faithfully, by making ample provision for the families of those who may have died in battle, and by receiving their children into the service of the Honourable Company, to be treated with the same care and bounty as their fathers had experienced.

The Right Honourable the Governor in Council trusts that the native troops, remembering these circumstances, will be sensible of the happiness of their situation, which is greater than that which the troops of any other part of the world enjoy; and that they will continue to observe the same good conduct for which they were distinguished in the days of General Lawrence, of Sir Eyre Coote, and of other renowned heroes.

The native troops must at the same time be sensible, that if they should fail in the duties of their allegiance, and should show themselves disobedient to their officers, their conduct will not fail to receive merited punishment; as the British Government is not less prepared to punish the guilty than to protect and distinguish those who are deserving of its favour.

It is directed that this paper be translated with care into the Tamul, Telinga, and Hindoostanee languages, and that copies of it be circulated to each native battalion; of which

the European officers are enjoined and ordered to be careful in making it known to every native officer and Sepoy under their command. No. III.

It is also directed that copies of the paper be circulated to the magistrates and collectors under the Government, for the purpose of being fully understood in all parts of the country.

Dated in Fort St. George, the 3rd December, 1806.

IV.

PAGE 176.

Extract from Lakshman Dawa's Petition to the Agent of the Governor-General in Bundelkhand, 27th March, 1809.

You, Sir, told me that you would say everything you could for me to the Governor-General, and do all in your power for me. You also desired me to continue near you: accordingly, I remained in your presence. My condition and case is this:—For some years I have kept an army, with which I have plundered a number of Brahmans, villagers, and peasants; and also fought against your forces, and destroyed a great number of your people. I entertained twelve hundred men for these six years, seven or eight hundred of whom have perished in these transactions. I have behaved in an unparalleled, ungrateful, and rebellious manner to your Government; so as no one in this country never behaved, nor ever will. I did not give up the fort of Ajaygerh, as I promised to do, within two years; neither did I pay the money which I promised to pay. The greatest ingratitude and faithlessness appear against me. I have become infamous all over Bundelkhand. All the peasantry are in expectation of my death. All the Brahmans, Mahájans, servants, Sipahis, Hindus, Muts- No. IV.

No. IV. eddis, brothers, connexions of my own father far off or near, all the Rajas, Fojdars, Amils, religious, educated, Gods, Jagirdars, Pádárthis, Byragis, Fakirs, the whole of the inhabitants, great and small, are wishing every instant to be my last. I would that their wishes were fulfilled. If I continue to exist, I had better not remain in this country; my death were preferable. I have four or five people sitting under the fort of Ajaygerh. Having called them to you, you will advise them respecting me, and blow me and my family away from the mouth of a cannon. This will be well for me, and it will accord with the wishes of all. They will be pleased, and I wish it. If I consent not to this, I am a liar, and agree to be regarded as hateful to God.

If I hesitate, I call upon God to bear witness. Favour me with this punishment, and it will be well for me. I beg you to reflect upon it, and order it to be done; and I beg of you to give my brothers and connexions two villages each for their support. If what I have requested be not agreeable to you, I beg you will exalt me as you have done other Rajas, or still more. The way to exalt me is to give me a lakh of rupees in money, and all my own country, as well as what is mentioned in the Sunnud given to me by Captain Baillie. If this, Sir, should please you, it is well; if not, pray blow me from a cannon's mouth. The last is honour; the first a mere nothing. Do whichever you please, I shall be content. I cannot be content with anything else. I pray you, consider it well. May the sun of your fortune perpetually shine!

V.

PAGE 268.

GENERAL ORDERS.

Head Quarters, Choultry Plain, 28 Jan. 1809.

General Order. By the Commander-in-chief.

No. V.

THE immediate departure of Lieutenant-General Macdowall from Madras will prevent his design of bringing Lieutenant-Colonel Munro, Quartermaster-General, to trial for disrespect to the Commander-in-chief, for disobedience of orders, and for contempt of military authority, in having resorted to the power of the Civil Government in defiance of the judgment of the officer at the head of the army, who had placed him under an arrest on charges preferred against him by a number of officers commanding native corps; in consequence of which appeal direct to the Honourable the President in Council, Lieutenant-General Macdowall has received a positive order from the Chief Secretary to liberate Lieutenant-Colonel Munro from arrest.

Such conduct on the part of Lieutenant-Colonel Munro being destructive of subordination, subversive of military discipline, a violation of the sacred rights of the Commander-in-chief, and holding out a most dangerous example to the service, Lieutenant-General Macdowall, in support of the dignity of the profession and his own station and character, feels it incumbent on him to express his strong disapprobation of Lieutenant-Colonel Munro's unexampled proceedings, and considers it a solemn duty imposed upon him to reprimand Lieutenant-Colonel Munro in general orders; and he is hereby reprimanded accordingly.

(Signed)

T. BOLES,
Adjutant-General.

VI.

PAGE 272.

Fort St. George, 31st Jan. 1809.

General Order. By Government.

No. VI.

IT has recently come to the knowledge of the Honourable the Governor in Council that Lieutenant-General Hay Macdowall did, previous to his embarkation from the Presidency, leave to be published to the army a general order, dated the 28th instant, in the highest degree disrespectful to the Government; in which that officer has presumed to found a public censure on an act adopted under the immediate authority of the Governor in Council, and to convey insinuations grossly derogatory to the character of the Government, and subversive of military discipline and of the foundation of public authority.

The resignation of Lieutenant-General Macdowall of the command of the army of Fort St. George not having been yet received, it becomes the duty of the Governor in Council, in consideration of the violent and inflammatory proceedings of that officer on the present and on other recent occasions, and for the purpose of preventing the possible repetition of farther acts of outrage, to anticipate the period of his expected resignation, and to annul the appointment of Lieutenant-General Macdowall to the command of the army of this Presidency.

The Governor in Council must lament, with the deepest regret, the necessity of resorting to an extreme measure of this nature: but, when a manifest endeavour has been made to bring into degradation the supreme public authority, it is essential that the vindication should not be less signal than the offence; and that a memorable example should be given, that proceedings subversive of established

order can find no security under the sanction of rank No. VI.
however high, or of station however exalted.

The general order in question having been circulated under the signature of the Deputy Adjutant-General of the army, it must have been known to that officer, that, in giving currency to a paper of this offensive description, he was acting in direct violation of his duty to the Government. As no authority can justify the execution of an illegal act, connected, as that act obviously in the present case has been, with views of the most reprehensible nature, the Governor in Council thinks it proper to mark his highest displeasure at the conduct of Major Boles, by directing that he shall be suspended from the service of the Honourable Company.

The general order left by the Commander-in-chief for publication, under date the 28th instant, is directed to be expunged from every public record; and the Adjutant-General of the army will immediately circulate the necessary orders for this purpose.

By order of the Honourable the Governor in Council.

(Signed)

G. BUCHAN,

Chief Secretary to Government.

VII.

PAGE 438.

Zemindari Sunnud granted by Jehangir.

It has happened in this propitious time that Abhiman No. VII.
Sing, Zemindar of Mahanagar in Nizamabad, has embraced Islamism, and been honoured with the title of Raja Nadir Dowlat Khan. We have therefore bestowed upon him twenty-two Pergunnas in Soobah Allahabad, from the commencement of the Khuneef crop, and according to the specification below. Our illustrious sons and rulers of the

No. VII. provinces and Mootsuddies must ever use their strongest endeavours perpetually to maintain this grant, and confirm the Zemindari of the above Pergunnas to the afore-mentioned person and his descendants for ever. They will deduct 1,25,000 rupees as his Nankar from the total Jumma payable to the Government, in order that he may spend it; and the fixed allowance per village and per-centage in the Jumma and other Zemindari dues from his support. This Sunnud will not require renewal. Dated Rubbee ool Akhir 15th, in the 4th year of the reign. (Specification on the reverse.) Pergunnas twenty-two (then follow their names). Nankar 1,25,000 rupees. Zemindari dues per village two rupees, per-cent. one rupee.—J. Asiatic Society of Bengal, vol. viii. p. 93.

VIII.

PAGE 469.

The Petition of all the Inhabitants of the City of Benares, etc. etc.

SHEWETH,

No. VIII. That we, your humble petitioners, have been nourished from our infancy by the fostering care of the British Government, and have been protected from every evil. During the government of Mr. Hastings especially we enjoyed ease and tranquillity, when, by the abolition of the tax on pilgrims, the fame of the Government was extended from one end of India to the other. In like manner, in the time of the Marquis Cornwallis we enjoyed various advantages: the Sayer and town duties, and other descriptions of oppressive duties, were abolished. The affairs of this province were committed to the administration of Mr. Duncan; and such was the indulgence extended to us, that, for the first time, Vakeels were appointed in the courts of justice

on the part of Government, and the claims of Government were henceforward judged and determined in common with the claims of other people. A considerable sum of money was also appropriated for the expense of the Hindoo college, and hundreds of people obtained Jageers, pensions, and donations: the people of all descriptions were secured in the enjoyment of their laws and their religion, together with the customs and usages to which they had been long habituated. The fame of the Government extended itself throughout the world; everything submitted to its will, and the population of the country increased with its prosperity.

No. VIII.

When the court of justice was originally established at Benares, the fees payable on the institution of suits were fixed at the rate of five per cent.; but the people claimed the interposition of the Governor-General's agent at this place, and the fees were reduced in consequence to the rate of one per cent. We fully expected that in a short time these also would be abolished, but after that gentleman went away they were again increased; and by the introduction of the stamp duties, transit and town duties, by the Phatuckbundee and other new institutions, your petitioners were reduced to distress and wretchedness.

During the last five years the seasons have proved unfavourable; the harvests have been injured by drought, hail, and frost; and the price of every article of consumption has increased twofold. In this state of things, Regulation xv., 1810, is introduced; and the tax it imposes, by affecting all ranks of people, has thrown the subjects of your Government into consternation. Accordingly, a number of people, in the confident expectation of obtaining that indulgence which Government has always been accustomed to extend to its subjects, exposed themselves to the inclemency of the season, and, with nothing to cover them but the heavens, bowed their faces to the earth in supplication: in this state of calamity several of them perished. We presented some petitions, setting forth our distresses to

No. VIII. the magistrate; and, as we did not obtain our object, we petitioned the provincial court, but from our untoward fate we were again unsuccessful. In this state of trouble the proclamation of the 13th of Jan. 1811 was issued, under the impression that your petitioners were in a state of disobedience to the Government; which we humbly represent was never even within our imagination. In implicit obedience to this proclamation, as to the decree of fate, we got up, and returned to our homes, in full dependence upon the indulgence of the Government. We set forth our distresses as below stated: we hope that you, under the authority vested by Government in its officers, upon the exercise of which the welfare of the country depends, will be pleased to translate this our petition, and forward it to the Right Honourable the Governor-General in Council, that, under the provision contained in clause 1st, Regulation xli., 1793, we may obtain relief. The indulgent disposition which is invariably manifested by the Government induces us to entertain a confident hope that the petition of its afflicted subjects will be complied with.

[The following representation relates to Regulation xv., 1810, and the proclamation of the 13th of January 1811.]

First. By Regulation xxiii., 1793, the expense of the police establishments was to be defrayed by a tax levied from the merchants, traders, and shopkeepers, who were considered one of the most opulent classes of the people; but, by the rules in Regulation vi., 1797, the Regulation above mentioned was rescinded, and it was declared that the tax was a source of vexation to the contributors. The Vice-President in Council accordingly resolved to abolish this tax, and to substitute the duties on stamp paper in the room of it. Sire, when the vexations to which the people were exposed by being subjected to the tax are so fully known to you, there can be no necessity for us to employ much detail in representing them; and let it be understood that the persons who then were affected by

Regulation xxiii., 1793, are not now in a condition better calculated to submit to it. In the new Regulation the tax includes every one; thousands who have not wherewithal to subsist are affected by it: hence to extend the tax to everybody will be the cause of general ruin. No. VIII.

Secondly. The protection of the people is the duty of the Government. The Governments to which we were formerly subjected established the transit and other duties upon traders to defray the expenses of protecting us; in other words, for the support of the police. Expenses of other descriptions were defrayed by the produce of the Baitoolmaul; and, although these duties still continue to be levied in Benares, the expense of the roads and the general protection of the country, such as the establishment of police and so forth, was also provided for at the settlement of the province: besides this, the stamp duties were established to defray the expense of the police, as well as the Phatuckbundee, which has, however, been abolished by the proclamation of the 13th January. These various resources for the support of the police well merit the attention of the Government.

Thirdly. In Regulation xv., 1810, it is stated, that, as the tax had been introduced into Calcutta, it should be also introduced into Benares. Sire, the ground of Calcutta is the particular property of Government: it was originally Government property, and became inhabited according to the usages established in England: all consented to pay the tax on the same principle as if it were a ground-rent; and every one, according to his means or pleasure, took ground and built upon it. But it is otherwise in Benares, where the ground is the property of its inhabitants, who have held it by purchase or other means from time immemorial.

Fourthly. In Regulation xv., 1810, it is declared, that all places of worship are to be exempted from the tax; and the whole extent of the city of Benares as contained within the Punchkos is, in fact, a place of worship, there positively is not a point of ground within it which is other-

No. VIII. wise. Let this be ascertained by a reference to the Shaster. Besides this, former Governments, on all occasions of exercising their authority, treated this city with peculiar indulgence; and the British Government also has done the same, as is instanced in the exemption of Brahmins from capital punishment: hence the city of Benares should be especially exempted from the tax on houses.

Fifthly. The means of procuring subsistence in these times, such as they are, are well known to Government. From the annihilation of the profits of our labour, from the increase of the taxes, from calamities which have raised the price of every article of consumption, from the abolition of the Tehseeldarree system, and from the bankruptcy of the merchants, your petitioners are reduced to such a state, that multitudes are unable to clothe and feed themselves, or support and educate their families: hence numbers, who supported themselves in a respectable manner, have been robbed of their respectability by distress. Had it not been for the native colleges of Calcutta and Benares, there would not have been an educated or well-bred man to be found throughout the country. How, then, is it possible to pay the tax?

Sixthly. Thousands of people in these times have not a kouree in the world; and if, in order to realise the tax, their household property shall be sold, as is prescribed in the Regulation, to what extremities will they not be reduced?

Seventhly. Since the commencement of the English Government the rules contained in the Shera and Shaster, together with the customs of Hindostan, have invariably been observed: it will be found in the Shera and Shaster that houses are reckoned one of the principal necessities of life, and are not accounted disposable property. Even creditors cannot claim them from us in satisfaction of their dues; and in this country, in the times of the Mahomedan and Hindoo princes, houses were never rendered liable to contributions for the service of the state.

Eighthly. Men of business possess no ostensible property but their houses. Houses are the foundation of all worldly affairs, whether in the collector's office, or in the courts, or in mercantile transactions. If the tax is enforced, what with providing the means of paying it on the one hand, and what with the apprehension of future innovations from the interference of Government on the other, such general distrust will be excited, that there will no longer be any reliance on the security of property: all mercantile transactions, all worldly affairs, will be overturned, and the public at large will become distracted.

Ninthly. By the usages of this country, the rights of the Government as they were exercised in the times of the Mahomedan and Hindoo princes do not weigh heavy upon its subjects: hence it is that under the English Government, in the sale of estates to realise the public revenue, the houses of the landholders are exempted. If the tax is enforced, the public mind will, for many reasons, be filled with apprehensions.

Tenthly. Although Government certainly devotes particular care and expense to the protection of the inhabitants of the cities, yet the town and transit duties, the mint and stamp duties, the registry of deeds, the duties arising from the quarries and the Abkarree, &c. &c., all of which multiply in proportion to the extent of the population, are levied in a greater degree from the inhabitants of cities than from those who live in the interior.

Eleventhly. If the tax is enforced, the rent of houses will increase; and many of the people, who are come from distant places to reside in this city and rent the houses they occupy, will no longer continue to remain in it. People will build no more stone houses; and in that case many classes of workmen, such as carpenters, blacksmiths, masons, &c. will be left without employment, and the city will be depopulated.

Twelfthly. Those who, from the fame of the justice and protection to be found under the English Government,

No. VIII. are come from distant countries to reside in the city of Benares, and whose residence in it adds to the population of the place and benefits thousands, will by the introduction of the tax be disheartened. They will go away, and multitudes will be ruined.

Thirteenthly. The Regulations enacted by the Marquis Cornwallis were extended to Benares, and we your petitioners, satisfied with those Regulations, lived happy and contented: the whole country increased in fertility and population, and the resources of Government were improved, at least so it appeared to us, though we know not if it appears so to the wisdom of the Government.

Fourteenthly. As a number of persons continued for some time assembled together to complain, Government conceived there was a disturbance, and it was so declared in the proclamation of the 13th of January, 1811. Sire, if an order be passed relating particularly to one individual, and other persons combine to support him, it might in that case be denominated a disturbance. As the introduction of the tax affected every individual of every class, every one presented himself to obtain justice. Thousands of men and women, all the old and the infirm, Brahmins, devotees, and Pundits, who have no occupation but prayer and penance, abandoned their houses and were among them. None were armed, even with a stick. The manner and custom in this country from time immemorial is this: that, whenever any act affecting every one generally is committed by the Government, the poor, the aged, the infirm, the women, all forsake their families and their homes, expose themselves to the inclemency of the seasons and to other kinds of inconveniences, and make known their affliction and distress, that the Government, which is more considerate than our parents, may observe their condition and extend indulgence to its subjects. Besides this, when the Brahmins in general are involved in distress, it is incumbent on all Hindoos to abstain from receiving sustenance, and any one who presumes to deviate from this

custom must incur general opprobrium. If your petitioners, by assembling together in this manner, can be considered to have created a disturbance, it is our misfortune. No. VIII.

[The next representation respects the houses of Benares.]

First. Many Mohullahs are upon ground which pays revenue to Government, and ought accordingly to be exempted.

Secondly. Many houses and several parts of the city are held by grants from the native princes and from the Honourable East India Company, and these are of the same nature as Ultumgah: besides which, thousands of people subsist on the bounty of Government.

Thirdly. Many of the Seraies and other public places were built by the Mahomedan princes or by their principal officers, and ought to be exempted.

Fourthly. There are hundreds of houses in this city the proprietors of which pay rent for the ground they are built upon, while the owner of the ground receives the rent as his right; which right has never been disputed by any Government. The house having been built by its proprietor, he holds it like household furniture, exempt from taxation; the materials of which it is built are liable to town and transit duties, and to the quarry duties, which are of course paid upon requisition. Many pieces of ground, and several of the houses above mentioned, are let to Government by the proprietors, and such proprietors cannot in consequence be called upon to pay the tax.

Fifthly. Many houses have been purchased by their present proprietors at public auction, with the permission of Government.

Sixthly. Many houses which belonged to the Baitoolmaul have been purchased by their present proprietors from the Government, who, on paying the value of them to Government, were put into possession.

Seventhly. Many houses are still in the Baitoolmaul, and the occupants pay rent for them to Government.

No. VIII. Eighthly. Many houses have been bestowed upon Brahmins and Fucqueers; and these houses, like Kishnapun, and according to established rules, must be exempted.

Ninthly. Many benevolent and humane people lend their houses for the accommodation of pilgrims and travellers, in the hope by so doing to obtain the blessing of Providence: many lend them out of civility to their friends. If the tax is enforced, civility and benevolence will be excluded from the world.

Tenthly. Many houses have been built by persons of rank in former times; these houses are deserted and fallen to ruin. Those to whom these houses have lineally descended are unable to repair them; they inhabit, perhaps, but one room, without even the means of subsistence: such persons surely deserve indulgence.

Eleventhly. Many houses are mortgaged, and in the possession of the mortgagee. The tax cannot be paid by the mortgager, because he is without the means of paying it; nor can it be paid by the mortgagee without diminishing the legal profit derivable from the established rate of interest.

Twelfthly. Many houses belong to the Nawaub Vizier and other persons of distinction, such as Manmundil and Raujmundil.

Thirteenthly. Several men of rank, such as the Moghul princes, reside in Benares by order of Government: they have either received their houses from Government, or have built them themselves.

Fourteenthly. Many of the buildings of this city are either Hindoo or Mahomedan places of worship, or pious bequests. After exempting buildings of these descriptions and the houses above mentioned, it will appear upon inquiry that the produce of the tax will not be worth the consideration of Government, which expends laks of rupees for the welfare of its subjects and for the general prosperity of the country.

Our existence and everything we possess have been bestowed upon us by the liberality of Government. Your No. VIII.
 humble petitioners feel themselves totally unable to contend, even in litigation, with a Government so powerful; but, perceiving that the Government is always disposed to be kind and indulgent, we have presumed to represent what our imperfect understandings have suggested to us. The indulgence of Government has given us the power to make this our representation; and, at all events, we hope for its indulgence and the forgiveness of our offences.

(Translated.)

IX.

PAGE 484, NOTE.

*Comparative Statement of the Revenues and Charges of
 British India in the Years 1807-8 and 1813-14.*

1807.	Bengal.	Madras.	Bombay.	Total.	No. IX.
Receipts	£9,972,000	4,928,000	770,000	15,670,000	
Charges	£6,372,000	5,194,000	2,059,000	13,625,000	
Surplus Revenue				£2,045,000	
Deduct Interest on Debt			£2,226,000		
Supplies to England			128,000		
				£2,354,000	
Deficit in 1807-8				£309,000	
1813-14.	Bengal.	Madras.	Bombay.	Total.	
Receipts	£11,172,000	5,297,000	759,000	17,228,000	
Charges	£ 7,135,000	4,893,000	1,589,000	13,617,000	
Surplus Revenue				3,611,000	
Deduct Interest on Debt			£1,537,000		
Supplies to England			116,000		
				£1,653,000	
Surplus in 1813-14				£1,958,000	

No. IX.

ITEMS OF AUGMENTED RECEIPT.

	Bengal.		Madras.		Bombay.	
	1807-8.	1813-14.	1807-8.	1813-14.	1807-8.	1813-14.
Mint	£17,000	9,000	"	16,000	"	6,000
Post-Office	35,000	43,000	17,000	20,000	"	6,000
Stamps	"	16,000	"	31,000	"	"
Judicial	113,000	104,000	"	26,000	"	6,000
Customs	511,000	322,000	114,000	190,000	167,000	108,000
Land Rev ^e .	3,729,000	3,928,000	1,040,000	893,000	417,000	37,000
Do. Ced ^d . P.	1,718,000	2,271,000	"	"	"	206,000
Do. Ced ^d . & } Conq. do. }	1,013,000	1,664,000	"	"	"	291,000
Salt	1,895,000	1,779,000	"	155,000	"	"
Opium	801,000	964,000	"	"	"	"
Marine	"	31,000	"	9,000	"	46,000
Carnatic	"	"	1,027,000	1,131,000	"	"
Tanjore	"	"	502,000	436,000	"	"
Mysore	"	"	1,399,000	1,519,000	"	"
Nizam	"	"	718,000	685,000	"	"
Travancore	"	"	46,000	91,000	43,000	"
Cochin	"	"	"	32,000	"	"
Farms and } Licences }	"	"	57,000	62,000	143,000	53,000
Dutch Settle- } ments }	"	"	7,000	"	"	"

TOTAL INCREASE OF REVENUE.

1813-14	.	.	.	£17,228,000
1807-8	.	.	.	15,670,000

Increase . . . £ 1,558,000

Of which the Increase in Bengal was £1,200,000
 Madras . 369,000

The Deficit in Bombay . . 1,569,000
 11,000

Net Increase . . . £1,558,000

INCREASE OF LAND REVENUE IN BENGAL.

Lower Provinces	.	.	£199,000
Ceded ditto	.	.	553,000
Conquered ditto	.	.	651,000
			£1,403,000

These particulars are compiled from the Revenue statements of the Second Report of the Select Committee of the House of Commons, 1810, and the Report of the Committee of the House of Lords, 1830. The smaller sums, below a thousand, are purposely omitted. It must be borne in mind also, that, at the valuation of the rupee adopted in the Reports, all the sums are about one-seventh too high.

X.

PAGE 540.

Resolutions (communicated by the Honourable the House of Commons to the Right Honourable the House of Lords at a Conference) respecting the Affairs of the East India Company.

1. RESOLVED, That it is expedient that all the privileges, authorities, and immunities, granted to the United Company of Merchants trading to the East Indies by virtue of any act or acts of parliament now in force, and all rules, regulations, and clauses affecting the same, shall continue and be in force for a further term of twenty years ; except as far as the same may hereinafter be modified and repealed.

2. Resolved, That the existing restraints respecting the commercial intercourse with China shall be continued, and that the exclusive trade in tea shall be preserved to the said Company during the period aforesaid.

3. Resolved, That, subject to the provisions contained in the preceding Resolution, it shall be lawful for any of his Majesty's subjects to export any goods, wares, or merchandize, which can now, or may hereafter, be legally exported from any port in the United Kingdom to any port within the limits of the charter of the said Company,

No. X. as hereinafter provided; and that all ships navigated according to law, proceeding from any port within the limits of the Company's charter, and being provided with regular manifests from the last port of clearance, shall respectively be permitted to import any goods, wares, or merchandize, the product and manufacture of any countries within the said limits, into any ports in the United Kingdom which may be provided with warehouses, together with wet docks or basins, or such other securities as shall, in the judgment of the Commissioners of the Treasury in Great Britain and Ireland respectively, be fit and proper for the deposit and safe custody of all such goods, wares, and merchandize, as well as for the collection of all duties payable thereon, and shall have been so declared by the Orders of his Majesty in Council in Great Britain, or by the Order of the Lord Lieutenant in Council in Ireland: Provided always, that copies of all such Orders in Council shall be laid before both Houses of Parliament in the session next ensuing.

4. Resolved, That as long as the Government of India shall be administered under the authority of the said Company according to the provisions, limitations, and regulations hereafter to be enacted, the rents, revenues, and profits arising from the territorial acquisitions in India shall, after defraying the expenses of collecting the same, with the several charges and stipulated payments to which the revenues are subject, be applied and disposed of according to the following order of preference:

In the first place, in defraying all the charges and expenses of raising and maintaining the forces, as well European as native, artillery and marine, on the establishments in India, and of maintaining the forts and garrisons there, and providing warlike and naval stores: Secondly, in the payment of the interest accruing on the debts owing, or which may hereafter be incurred, by the said Company in India: Thirdly, in defraying the civil and

commercial establishments at the several settlements there: Fourthly, that the whole or any part of any surplus that may remain of the above-described rents, revenues, and profits, after providing for the several appropriations, and defraying the several charges before mentioned, shall be applied to the provision of the Company's investment in India, in remittances to China for the provision of investments there, or towards the liquidation of debts in India, or such other purposes as the Court of Directors, with the approbation of the Board of Commissioners, shall from time to time direct. No. X.

5. Resolved, That the receipts into the Company's treasury in England from the proceeds of the sales of their goods, and from the profits arising from private and privileged trade, or in any other manner, shall be applied and disposed of as follows:—First, in payment of bills of exchange already accepted by the Company, as the same shall become due: Secondly, for the current payment of debts (the principal of the bond debt in England always excepted) as well as interest, and the commercial charges and expenses of the said Company: Thirdly, in payment of a dividend of ten pounds per cent. on the present or any future amount of the capital stock of the said Company; also in the payment of a further dividend of ten shillings per cent. upon such capital stock, after the separate fund upon which the same was originally charged by the 124th clause of the 33rd Geo. III. cap. 52, shall have been exhausted; the said payments respectively to be made half-yearly: Fourthly, in the reduction of the principal of the debt in India, or of the bond debt at home, as the Court of Directors, with the approbation of the Board of Commissioners, shall from time to time direct.

6. Resolved, That when the principal of the debt bearing interest in India shall have been reduced to the sum of ten millions of pounds sterling, calculated at the exchange of 2*s.* the Bengal current rupee, 3*s.* the Madras pagoda, and 2*s.* 3*d.* the Bombay rupee, and the bonded debt in

No. X. England shall have been reduced to the sum of three millions of pounds sterling, then and thereafter the surplus proceeds which shall be found to arise from the revenues of India, and the profits upon the trade, after providing for the payments aforesaid, shall be applied to the more speedy repayment of the capital of any public funds or securities which have been or may be created for the use of the said Company, the charges of which have been or may be directed to be borne by the said Company, in virtue of any act or acts of parliament; and that any further surplus that may arise shall be set apart, and from time to time paid into the receipt of his Majesty's Exchequer, to be applied as Parliament shall direct, without any interest to be paid to the Company in respect or for the use thereof; but nevertheless to be considered and declared as an effectual security to the said Company for the capital stock of the said Company, and for the dividend of $10\frac{1}{2}$ per cent. per annum in respect thereof, not exceeding the sum of twelve millions of pounds sterling; and that of the excess of such payments, if any, beyond the said amount of twelve millions, one-sixth part shall, from time to time, be reserved and retained by the said Company for their own use and benefit, and the remaining five-sixths shall be deemed and declared the property of the public, and at the disposal of Parliament.

7. Resolved, That the said Company shall direct and order their books of account, at their several Presidencies and settlements in India, at their factory in China, at the island of St. Helena or elsewhere, and also in England, to be so kept and arranged as that the same shall contain and exhibit the receipts, disbursements, debts and assets, appertaining to, or connected with, the territorial, political, and commercial branches of their affairs; and that the same shall be made up in such manner that the said books shall contain and exhibit the accounts of the territorial and political departments separately and distinctly from such as appertain to, or are connected with, the commer-

cial branch of their affairs; and that the arrangement of accounts so to be made shall be submitted to the ap-

probation and sanction of the Board of Commissioners for the Affairs of India. No. X.

8. Resolved, That it is expedient to make provision for further limiting the granting of gratuities and pensions to officers, civil and military, or increasing the same, or creating any new establishments at home, in such manner as may effectually protect the funds of the said Company.

9. Resolved, That all vacancies happening in the office of Governor-General of Fort William in Bengal, or of Governor of either of the Company's Presidencies or settlements of Fort St. George or Bombay, or of Governor of the forts and garrisons of Fort William, Fort St. George, or Bombay, or of Commander-in-chief of all the forces in India, or of any provincial Commander-in-chief of the forces there, shall continue to be filled up and supplied by the Court of Directors of the said United Company, subject nevertheless to the approbation of his Majesty, to be signified in writing under his royal sign manual, countersigned by the President of the Board of Commissioners for the Affairs of India.

10. Resolved, That the number of his Majesty's troops in India to be in future maintained by the said Company be limited; and that any augmentation of force exceeding the number so to be limited shall, unless employed at the express requisition of the said Company, be at the public charge.

11. Resolved, That it is expedient that the Church Establishment in the British territories in the East Indies should be placed under the superintendence of a Bishop and three Archdeacons; and that adequate provision should be made, from the territorial revenues of India, for their maintenance.

12. Resolved, That it is expedient that the statutes and regulations framed, or to be framed, by the Court of Directors for the good government of the College esta-

No. X.

lished by the East India Company in the county of Hertford, and of the Military Seminary of the said Company in the county of Surrey, as well as the establishment of offices connected therewith, or the appointment of persons to fill such offices, be subject to the controul and regulation of the Commissioners for the Affairs of India; and that the power and authority of the Board of Commissioners for the Affairs of India shall be construed to extend to the issuing or sending orders or instructions to the Court of Directors, for the purpose of their being transmitted to India, respecting the rules and regulations and establishments of the respective colleges at Calcutta and Fort St. George, or any other seminaries which may be hereafter established under the authority of the local Governments.

13. Resolved, That it is the duty of this country to promote the interest and happiness of the native inhabitants of the British dominions in India; and that such measures ought to be adopted as may tend to the introduction amongst them of useful knowledge, and of religious and moral improvement. That, in the furtherance of the above objects, sufficient facilities shall be afforded by law to persons desirous of going to and remaining in India for the purpose of accomplishing these benevolent designs: provided always, that the authority of the local Governments, respecting the intercourse of Europeans with the interior of the country, be preserved; and that the principles of the British Government, on which the natives of India have hitherto relied for the free exercise of their religion, be inviolably maintained.

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