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EAST INDIA COMPANY.

HOME ACCOUNTS

OF

THE EAST INDIA COMPANY,

(Presented pursuant to the Act 3 & 4 Will. 4, c. 85.)

L I S T.

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(Errors excepted.)

East India House, }
28 May 1841. }

JAMES C. MELVILL,
Secretary.

Ordered, by The House of Commons, to be Printed,
14 June 1841.

— No. 1. —

AN ACCOUNT of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the
East India Company, from the 1st May 1840 to the 30th April 1841.ON ACCOUNT OF THE REALIZATION OF THEIR COMMERCIAL ASSETS AND TRANSACTIONS
INCIDENT TO THE CLOSING OF THEIR COMMERCIAL CONCERNS.

RECEIPTS:		£.	s.	d.
Sales of tea	- - - - -	53	19	2
Remittances from North American Colonies, on account proceeds of tea sold there by the Company's agents	- - - - -	6,000	-	-
On account advances and claims recoverable in England	- - - - -	28	-	-
Premium realized on sale of Exchequer bills, part of the cash balance of the late commercial branch on the 22d April 1834	- - - - -	196	10	-
	£.	6,278	9	2
DISBURSEMENTS:				
Charges incurred in realizing the goods, and for other purposes connected with the closing of the Company's commercial business:				
Warehouse charges and miscellaneous	- - - - -	390	12	11
Private trade; balances paid to proprietors of private trade goods	- - - - -	307	12	3
	£.	698	5	2
Balance applicable to the service of the Government of India	- - - - -	5,580	4	-
	£.	6,278	9	2

ON ACCOUNT OF THE GOVERNMENT OF INDIA.

RECEIPTS:		£.	s.	d.
Net amount, as before shown, realized from commercial assets within the year -		5,580	4	-
Bills from India and China on account of supplies to the public service	- - - - -	15,534	-	4
Bills drawn on India for cash received into the home treasury	- - - - -	1,174,450	2	10
Advances made in India on security of the goods of individuals, repaid	- - - - -	966,748	15	4
From Her Majesty's Government, on account expenses of steam communication with India	- - - - -	62,500	-	-
Ditto - - - on account expenses of the expedition to China	- - - - -	150,000	-	-
Poplar fund, and unclaimed prize-money of seamen	- - - - -	10,830	11	7
Fee fund for the house and warehouses	- - - - -	9,039	9	7
Widows' funds for the home service	- - - - -	19,671	17	3
Interest realized from investment of cash balances; less discount on anticipated receipt of remittances, and interest allowed on balances of funds in the Company's treasury	- - - - -	30,721	12	4
		2,439,496	9	3
Balance in favour, 1st May 1840	- - - - -	2,020,227	4	4
	£.	4,465,303	17	7

DISBURSEMENTS.		£.	s.	d.	£.	s.	d.
Bills of Exchange from India:							
For principal of India debt - - - - -		7,801	9	2			
„ interest of ditto - - - - -		70,809	8	11			
		£. 78,610	18	1			
For effects of deceased officers, and other remittances -		8,481	13	1			
„ interest of Tanjore claims adjudicated - - - - -		1,074	18	6			
					88,167	9	8
Dividends on India loan property transferred to books in England - - -					118,435	6	6
Advances to compassionate funds of India, repayable there - - - - -					231,184	-	3
Annuities paid in England chargeable to the Indian civil annuity funds - -					138,368	15	4
Expenses attending appeals from local courts in India, recoverable in India -					11,093	1	8
Family remittances, payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India - - - - -					53,180	11	2
Tee fund for the house and warehouses - - - - -					9,039	9	7
Widows' funds for the home service - - - - -					22,082	11	4
Poplar fund, and unclaimed wages and prize-money of seamen - - - - -					13,761	19	3
Unclaimed prize-money applicable to Lord Clive's fund, excess of claims discharged above amount received on this account in the current year - - -					1,458	18	1
Services chargeable to Her Majesty's Government (principally in respect of steam communication with India) - - - - -					50,081	17	10
Principal of home bond debt paid off under Court's advertisement of 15 November 1837 - - - - -					400	-	-
CHARGES ON THE REVENUES OF INDIA:							
Dividends to proprietors of East India stock - - - - -		631,645	9	8			
Interest on the home bond debt - - - - -		51,382	19	6			
Military and other public stores exported and to be exported - - - - -		329,395	-	3			
Purchase and equipment of steam-vessels, deducting amount chargeable to Her Majesty's Government -		83,142	7	1			
Transport of troops and stores - - - - -		73,212	16	3			
Furlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings -		502,053	8	11			
Retired pay and pensions of persons of the late St. Helena establishment - - - - -		11,677	14	7			
Paymaster-general of Her Majesty's forces, for claims accrued against the Company in respect of Queen's troops serving in India - - - - -		300,000	-	-			
Payments under Act 4 Geo. 4, cap. 71, on account of retiring pay, pensions, &c. of Her Majesty's troops serving or having served in India - - - - -		60,000	-	-			
Civil establishments of India, absentee allowances and passage-money - - - - -		44,437	3	5			
Expense of Tanjore commission in England - - - - -		1,831	5	8			
Her Majesty's mission to the court of Persia, on account of the portion of the charge payable by the Company -		11,000	-	-			
Her Majesty's establishment in China, on account of the portion of the charge payable by the Company - - -		4,116	13	4			
Carried forward - - - £.		2,103,894	18	8	737,253	10	8

	£.	s.	d.	£.	s.	d.
Brought forward - - -	2,103,894	18	8	737,253	10	8
DISBURSEMENTS--continued.						
CHARGES, GENERAL, comprising--						
Board of Commissioners for the Affairs of India, salaries of the president and officers of the Board, including superannuation allowances granted by Warrant of the Crown, under Act 53 Geo. 3, c. 155, s. 91 - - - - -	28,289	11	6			
Salaries of the Court of Directors - - -	7,558	1	7			
Contingent expenses of the Courts of Directors and Proprietors, consisting of repairs to the East India House, taxes, rates and tithes, coals, candles, printing, stationery, bookbinding, stamps, postage, and various petty charges -	25,301	14	2			
Salaries and allowances of the secretaries and officers of the Court of Directors -	81,483	5	7			
Annuity and pensioners, including compensation annuities under Act 3 & 4 Will. 4, c. 85 - - - - -	249,034	3	-			
Haileybury College, net charge - - -	10,214	8	11			
Military seminary at Addiscombe, net charge - - - - -	3,904	5	6			
Recruiting charges, pay of officers and non-commissioned officers of recruiting establishments, and of recruits previous to embarkation, bounty, &c. - - -	50,414	8	1			
Passage and outfit of a Puisne Judge to Bombay, Chaplains, Company's officers in charge of recruits, officers of Her Majesty's Service proceeding to join their regiments, volunteers for the pilot service, &c. - - - - -	25,703	14	2			
Charges of the store department, articles for use in inspection of stores, labour, &c. - - - - -	6,353	15	2			
Lord Clive's fund, net charge for pensions, &c. - - - - -	53,245	15	10			
Canton agency; agent's commission and allowances - - - - -	6,249	15	8			
Commission to agents at the outports on realization of remittances - - - - -	442	9	7			
Maintenance of lunatics - - - - -	5,523	2	-			
Cultivation and manufacture of cotton, &c. in India, expenses incurred in view to the improvement of - - - - -	9,323	13	4			
Miscellaneous; consisting of expense of overland and ships' packets, maintenance of natives of India, donations to Bengal civil fund and to widows' funds for the home service, donations for services and relief, &c. - - - - -	13,085	18	2			
Disbursements under orders of the secret Committee of the Court of Directors -	3,498	5	5	580,536	7	5
EXTRAORDINARY:						
Compensations under Act 3 & 4 Will. 4, c. 85:—Payments by way of gratuity and commutation of annuities granted under that Act - - - - -	5,319	4	1	2,689,750	10	2
				£.	3,427,004	- 10
Balance in favour, 30 April 1841 - - - - -				£.	1,038,299	16 9
				£.	4,465,303	17 7

— No. 2. —

ESTIMATE of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the *East India Company*, from 1 May 1841 to 30 April 1842.

ON ACCOUNT OF THE REALIZATION OF THEIR COMMERCIAL ASSETS AND TRANSACTIONS INCIDENT TO THE CLOSING OF THEIR COMMERCIAL CONCERNS.

RECEIPTS:		£.
Sales of tea, from defaulters, loss on re-sale of teas bought by them	- - - -	800
Remittances from British North American Colonies	- - - -	10,566
	£.	11,366
DISBURSEMENTS:		£.
Freight and dock dues (unadjusted accounts)	- - - -	3,500
Balances on account of private trade goods placed under the Company's management	- - - -	7,800
		11,300
Balance applicable to the service of the Government of India	- - - -	66
	£.	11,366

ON ACCOUNT OF THE GOVERNMENT OF INDIA.

RECEIPTS:		£.
Amount as above shown, expected to be realized from the commercial assets within the year	- - - -	66
Remittances from India through Her Majesty's Government, on account of ordinary supplies to Her Majesty's Service	- - - -	10,000
Ditto - - in all other modes	- - - -	3,000,000
To be received from Her Majesty's Government in respect of steam communication with India	- - - -	50,000
Ditto - - on account expenses of the expedition to China	- - - -	475,000
Interest to be realized from investment of cash balances	- - - -	16,500
		3,551,566
Balance of Cash, 1 May 1841	- - - -	1,038,299
	£.	4,589,865

DISBURSEMENTS:		£.
Bills of exchange from India	- - - -	100,000
Dividends on India loan property transferred to the books in England	- - - -	119,600
Advances to be made in England to the compassionate funds of India, repayable there	- - - -	230,000
Indian annuity funds; civil service annuities payable in England	- - - -	150,000
Expenses attending appeals from local courts in India, recoverable in India	- - - -	33,000
Family remittances; payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India	- - - -	34,200
Popular fund; excess of the charge thereon above the current income, causing a diminution of the capital to the same extent	- - - -	5,860
Home bond debt; principal to be paid off under notice from holders	- - - -	168,900

CHARGES ON THE REVENUES OF INDIA:		£.
Dividends to proprietors of East India stock	- - - -	630,000
Interest on the home bond debt	- - - -	58,267
Military and other public stores, exported and to be exported	- - - -	410,173
Purchase and equipment of steam-vessels for India	- - - -	120,390
Transport of troops and stores	- - - -	55,000
Furlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings	- - - -	510,000
Retired pay and pensions of persons of the late St. Helena establishment	- - - -	8,000
Paymaster-general of Her Majesty's forces, for claims accrued against the Company in respect of Queen's troops serving in India	- - - -	300,000
Payments under Act 4 Geo. 4, c. 71, on account of retiring pay, pensions, &c. of Her Majesty's troops serving or having served in India	- - - -	60,000
Civil establishments of India; absentee allowances and passage-money	- - - -	40,000
Her Majesty's mission to the court of Persia (portion of the charge payable by the Company, supposing the mission to be maintained upon its original scale throughout the year)	- - - -	12,000
Her Majesty's establishment in China, portion of the charge payable by the Company	- - - -	4,783
Charges general; being for home establishments and expenses, civil, military and maritime pensions, recruiting charges; allowances for outfit, &c.	- - - -	571,000
		2,779,613

EXTRAORDINARY:		£.
Warrants passed the Court unpaid, and other arrears, should they be demanded	- - - -	3,621,173
		219,825
		3,841,058
Balance in favour, 30 April 1842	- - - -	748,807
	£.	4,589,865

—No. 3.—

AN ACCOUNT of the DEBTS and CREDITS in *England* of the Government of *India*, on the 1st May 1841:

IN RESPECT OF THE COMMERCIAL ASSETS AND TRANSACTIONS INCIDENT TO THE CLOSING OF THE COMMERCIAL CONCERNS OF THE COMPANY.

DEBTS:		£.	£.
Freight and dock dues (unadjusted accounts)	- - - - -	3,500	
Proprietors of private trade, upon all goods sold	- - - - -	7,800	
			11,300
CREDITS:		£.	
Amount of Company's goods sold, not paid for	- - - - -	800	
East India warehouses unsold, computed value	- - - - -	2,500	
			3,300

IN RESPECT OF THE GOVERNMENT OF INDIA.

DEBTS:		£.	
Bills of exchange unpaid from India	- - - - -	23,839	
Dividends on stock of the five per cent. transfer loan standing in the books in England unpaid	- - - - -	2,517	
Warrants passed the Court unpaid	- - - - -	118,387	
Amount owing for export stores	- - - - -	84,694	
Unclaimed prize money applicable to Lord Clive's fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 50), bearing interest at five per cent. per annum	- - - - -	67,269	
Poplar fund, bearing interest at four per cent. per annum	- - - - - £. 226,482		
Unclaimed prize money applicable to Poplar fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 50), bearing interest at four per cent. per annum	- - - - - 36,778		
			263,260
Her Majesty's Government, due per estimate on account charges of Queen's troops serving in India, after taking credit for sums due from Government to the Company	- - - - -	15,206	
Dividends on the capital stock unclaimed	- - - - -	36,546	
Interest on bonds unclaimed, including growing interest	- - - - -	16,179	
Home bond debt, charged upon the revenues of India by 9th sec. 3 & 4 Will. 4, c. 85:			
Principal bearing interest at three-and-a-half per cent. per annum	- - - - - £. 1,565,400		
Principal bearing interest at three per cent. per annum	- - - - - 168,900		
		1,734,300	
Principal not bearing interest	- - - - - 22,692		
			1,756,992
			£. 2,384,889
CREDITS:			
The cash balance on the 1st May 1841	- - - - -	1,038,299	
Stock and annuities in the public funds standing in the Company's name, valued at the market prices on the 30th April 1841	- - - - -	669,225	
Military and other public stores remaining in England unshipped, 1st May 1841	- - - - -	105,737	
Bills of exchange drawn in the Company's favour, unpaid	- - - - -	219,889	
Owing from sundry persons for advances repayable in England	- - - - -	11,383	
Balances in the hands of officers of the home service, of sums advanced to pay charges	- - - - -	341	
Computed value of buildings; viz			
The East India House	- - - - - £. 268,200		
The East India College at Haileybury, and Military Seminary at Addiscombe	- - - - - 177,219		
The warehouses and premises in Leadenhall-street, and in New-street, Bishopsgate (store departments)	- - - - - 19,000		
			464,419
			£. 2,509,293

ABSTRACT:

IN RESPECT OF THE COMMERCIAL ASSETS AND TRANSACTIONS INCIDENT TO THE CLOSING
OF THEIR COMMERCIAL CONCERNS.

Brought down amount of Assets not yet realized	£. 3,300	£.
Debts of the late Commercial Branch not yet discharged	- 11,300	
Debts in excess	- - - -	8,000
IN RESPECT OF THE GOVERNMENT OF INDIA.		
Brought down amount of Assets	£. 2,509,293	
Debts	2,384,889	
Assets in excess	- - - -	124,404
Balance in favour	£.	116,404

The above, on the one hand, is exclusive of the amount owing to proprietors for their capital stock; and on the other hand, of the guarantee or security fund formed under the provisions of the Act 3 & 4 Will. 4, c. 85.

— No. 4.—

A LIST of the several ESTABLISHMENTS of the *East India Company in England*, and the SALARIES and ALLOWANCES payable by the Court of Directors in respect thereof, on the 1st May 1841 (3 & 4 Will. 4, c. 85, s. 116.)

	Number	Salaries and Allowances.
		£. s. d
Secretary's office: consisting of a secretary, deputy secretary, five assistants, in the respective branches of minuting and correspondence, accounts, pay, audit and marine; thirty-four clerks; one clerk in charge of the proprietor's room; one superintendent of extra clerks; a conductor of the correspondence relating to the vegetable productions of India; sixteen extra clerks; fourteen writers; one assistant elder and sixteen messengers	91	42,85 - -
Examiner's office: consisting of an examiner of India correspondence, an assistant examiner, first assistant, three clerks in the correspondence branch, three senior clerks, eight clerks, one superintendent of extra clerks, one registrar of India books and records, four extra clerks, sixteen writers and nine messengers	48	20,609 - -
Office of the secretary in the military department: consisting of a secretary, an assistant secretary, seven clerks, six extra clerks, four writers and four messengers	23	10,011 - -
Library and museum: consisting of a librarian (who is also Oriental examiner at the East India College and military seminary), a keeper of the museum, and three messengers	5	1,295 - -
Clerk of the works and one messenger	2	455 - -
Storekeeper's department: consisting of an inspector of stores, one clerk, one sub-inspector, two examiners of cloth, nine examiners and two assistant examiners of military stores; one bookkeeper, one examiner of stationery, one extra clerk, four writers, a carpenter and one messenger	27	5,601 - -
Standing counsel	1	500 - -
Solicitor	1	500 - -
Examining physician	1	470 - -
Examiner of veterinary instruments	1	100 - -
Geographer	1	200 - -
Chaplain to Poplar hospital	1	100 - -

	Number.	Salaries and Allowances.
		£. s. d.
Doorkeepers and court-room messengers	5	1,270 - -
Door-porters, messengers and fire-lighters	26	2,366 - -
Fireman	1	130 - -
Waterman	1	70 - -
Housekeeper and assistant	2	180 - -
Charwomen	8	299 - -
East India College: consisting of a principal, eight professors and forty-two public servants	51	6,795 - -
Military Seminary: consisting of a public examiner and inspector, a lieutenant-governor, twenty professors, assistant professors, masters, staff and other officers, and thirty-five non-commissioned staff and public servants	57	9,100 - -
Military depôt at Chatham: consisting of five officers and twenty-six non-commissioned staff	31	3,958 - -
Recruiting districts: consisting of five officers and thirty-two non-commissioned staff	37	5,478 - -
Number of persons	419	112,302 - -

—No. 5.—

AN ACCOUNT of New or Increased SALARIES, ESTABLISHMENTS or PENSIONS, payable in Great Britain, granted or created between 1st May 1840 and 1st May 1841.

SALARIES:		£. s. d.
Increase of salary to Mr. Henry Mills, the senior clerk in the minuting and correspondence branch of the Secretary's department		200 - -
Ditto - Mr. Francis W. Prideaux, a clerk in the correspondence department of the Examiner's Office		200 - -
Ditto - Mr. William Eade, the senior clerk in the office of the secretary in the military department		100 - -
Ditto - Mr. Amos Boorman, one of the assistant examiners in the military store department		20 - -
Ditto - the Rev. J. A. Jeremie, A.M., as dean of the East India College		50 - -
Ditto - Mr. Charles Rowles, assistant professor of Hindustani at the military seminary		50 - -
Ditto - the senior serjeant on the Dublin recruiting staff		9 2 6
Ditto - the bugle major at the East India Company's depôt at Chatham		19 15 5
	£.	648 17 11
ESTABLISHMENTS:		
Secretary's department: Dr. John Forbes Royle, late of the Bengal Establishment, to conduct the correspondence, &c. relative to the vegetable productions of India		383 5 -
Examiner's department: five additional writers		400 - -
East India Company's depôt at Chatham: the Royal warrant of 29 October 1840 having directed the appointment of schoolmistresses to instruct the female children of soldiers, a similar appointment has been made to the Company's depôt		20 - -
	£.	803 5 -

PENSIONS:

	£.	s.	d.
Captain Thomas Haviside, whose period of service extended from the year 1805 to 1830, including six voyages as Commander, in one of which he was very severely wounded, and who is precluded, by the general Regulations, from admission to the pension awarded to Commanders in the late Maritime Service of the East India Company; granted as a special case, and in deference to the desire expressed by the General Court of Proprietors to assist a very deserving officer	150	-	-
Mrs. Elizabeth Jane Westmoreland, on a compassionate view of the situation in which she is left by the decease of her husband, a late Surveyor of Private Trade, granted 20 <i>l.</i> per annum during widowhood, and 5 <i>l.</i> per annum each for three of her daughters until marriage, or 21 years of age	35	-	-
The three Misses Gerard, in consideration of the zealous and active services of their brother, the late Captain Alexander Gerard, of the Bengal Army, and of the impoverished state in which they are placed by his decease; granted as a special case, until marriage, 15 <i>l.</i> per annum each	45	-	-
Miss Caroline Bronnhall, daughter of the late Lieutenant George Bronnhall, formerly of the Bombay Establishment, in consideration of the distressing circumstances of her case, the pension of 15 <i>l.</i> per annum granted to her under the Court's Resolution of the 20th April 1838, increased to 30 <i>l.</i> per annum	15	-	-
Captain William Wade, of the Bombay Establishment, in consideration of the shattered state of his health, brought on by illness contracted on actual service in the field, granted a special allowance in addition to the half-pay of Lieutenant on retirement	39	-	-
Mrs. Charlotte Mary Browne, daughter of the late Mr. Daniel Rausch, on the grounds of the peculiar and repeatedly acknowledged claims which his family possess in the good offices of the Court of Directors, and the impossibility of obtaining for their wrongs that redress which the Court's interposition with the former Government of Assam has failed to procure; in consideration also of her distress, granted a pension of 70 <i>l.</i> per annum, to be refunded, in the event of her being enabled hereafter to dispense with it	70	-	-
Mr. Paul M. Wynch, late of the Bengal Civil Establishment, in consideration of his long and approved service, and of the great expense attending his continued mental affliction, the allowance of 150 <i>l.</i> per annum, granted on the 2d November 1836 for his maintenance, increased to 200 <i>l.</i> per annum	50	-	-
Mr. James Taylor, who, in consequence of paralysis, attributed to the effect of climate, has been compelled to resign his situation as a Mechanic in the Calcutta Mint; granted on a compassionate view of his case	60	-	-
Mr. William Hayley Weller, formerly a Lieutenant on the Madras Establishment, but dismissed by sentence of Court Martial in 1823; in consideration of his melancholy state of mind, and of his being now wholly destitute of the means of support	30	-	-
Miss Clemons, daughter of the late Major Clemons, of the Madras Establishment, the allowance of 20 <i>l.</i> per annum, granted to her on the 3d September 1834, until she should attain the age of 18, which has now lapsed, continued for a period not exceeding three years, in consideration of the circumstances stated by her mother	20	-	-
Mrs. C. W. Macgregor, widow of Major-general J. M. Macgregor, of the Bengal Establishment, an additional annuity of 70 <i>l.</i> , to be continued at her decease to such of her three children, namely, Mrs. Isabella Sinclair, Captain Robert Macgregor and Lieutenant James Macgregor, as may then be alive, and to the last survivor of them during his or her life; such arrangement being in full of all claims against the Court on the part of Mrs. Macgregor or her family in respect of certain claims alleged to be due to her husband's estate	70	-	-
Major John Jopp, of the Bombay Establishment, in consideration of the very distressing state to which he is reduced by total loss of sight, occasioned by his exertions in the actual performance of his duty, granted a special allowance, in addition to any other allowance to which he may be entitled, under the regulations of the service; to be continued so long as his loss of sight shall be entire	200	-	-
Mrs. Elizabeth Wordsworth, widow of Mr. James Wordsworth, formerly of the Bengal Civil Establishment, in consideration of the very distressed situation in which she is placed by his death	100	-	-
Mrs. Ann Barker, who, by the decease of her husband, Mr. Richard W. Barker, formerly Quarter-master of the Volunteer Corps at St. Helena, is left, with three unmarried daughters, in great poverty; granted on a compassionate view of her case, and to be continued during widowhood	25	-	-
Mrs. Lord, mother of Dr. Percival Lord, of the Bombay Establishment, and Assistant Political Agent in Afghanistan: in order to mark the Court's sense of his political services, which have elicited the approval and praise of the highest authorities in India and in this country, and in order to afford to his widowed mother some compensation for her loss of a son who was her principal support, and whose life was sacrificed to the zeal and gallantry evinced by him in the engagement at Purwandurrah; a special allowance granted to her of	120	-	-

PENSIONS—continued.

Mr. William Hollis, late a Lieutenant in the Madras Army, but who was dismissed by sentence of Court Martial on charges preferred by his senior officer on duty with troops to Bombay, per "Ingles," in consideration of the circumstances in which he was placed, of the high character he has received, of his liability to nervous excitement when exposed to difficulties in a tropical climate, and more especially to the recommendation of the Court Martial to "merciful consideration," a recommendation which was also offered to the Court of Directors by the governments of Bombay and Madras, and to which the Commander-in-Chief at Bombay expressly desires he may be understood to offer no objection; granted an allowance from the date of his landing in England of	£.	s.	d.
	70	-	-
George Dorsett, who is disqualified by age and infirmities for further service as Cook at the East India College	40	-	-
Charles Millea, who has satisfactorily filled different domestic offices at the Military Seminary during 21 years, and has now become incapable of further duty; granted	20	-	-
Mr. Robert Elliott, late Surgeon at the Company's Depot at Chatham, in consideration of his services originally in the Maritime, and, latterly, in the Military Department, and of his present impaired state of health; granted a retiring allowance of 8 s. a day	146	-	-
The undermentioned discharged Soldiers, who have held their rank during the period prescribed by the Regulations, granted pensions of 1 s. a day each from the Company's cash, in addition to their pensions from the Military Fund; viz.			
BENGAL ESTABLISHMENT:			
Patrick Garvey, Serjeant.	Henry James, Serjeant.		
William Cosgrove "	Michael Coyle "	182	10
William Bowring "	John Fitzpatrick "		
John Jeffries "	Thomas Holmes "		
MADRAS ESTABLISHMENT:			
Henry Charles Newland, Conductor.			
Thomas Cameron, Quarter-master-serjeant.			
Mr. J. W. Macleod, late Second Commissioner of the Court of Requests at Calcutta, the pension of 418 rupees per month, granted to him by the Bengal Government, to be issued during pleasure in Europe, at 1 s. 11 d. the rupee	480	14	-
Mr. J. S. May, late an uncovenanted servant in the Survey Department in Bengal, the pension of Company's rupees 348. 5. 4. per month, granted to him by the Bengal Government, to be issued in Europe, during pleasure, at 1 s. 11 d. the rupee	400	11	8
Mr. Stephen Hornby, formerly Gaoler at Alipore, the pension of rupees 62. 11. 2½. per month, granted to him by the Bengal Government, to be paid in this country during pleasure, at 1 s. 11 d. the rupee	72	-	-
Mr. Henry John Phillips, late an uncovenanted Assistant in the Revenue Department of the Secretary's Office at Bombay, allowed to draw in this country the pension assigned to him from Warden's Official Fund, amounting, at the exchange of 1 s. 11 d. the rupee, to	45	13	4
Rear-Admiral Sir Charles Malcolm, R. N., in testimony of his services; and with reference also to the peculiar circumstances which, on a change in constitution of the Indian Navy, suggested his removal from the office of superintendent; granted	200	-	-
Mrs. Deborah L. Symes, widow of a Mate in the Bengal Pilot Service, pensions granted to herself and two children by the Bengal Government, to be issued in Europe	65	18	-
Eliza Adelaide and Thomas Benjamin Bennett, children of a Master in the Bengal Pilot Service, permitted to receive, in Europe, the pensions granted to them, amounting to	38	8	6
Alfred Fielder, son of a Branch Pilot, Bengal Establishment, permitted to receive, in Europe, the pension granted to him	14	8	6
Sundry small pensions to the widows and children of deceased elders, extra clerks and others in the Company's Home Service	83	12	-
	£.	2,879	16

— No. 9. —

To the MARITIME SERVICE, in the form of GRATUITIES to those who have served less than Ten Years; computed according to Rank and Service.

		£.	s.	d.
Mr. George Taylor	midshipman	93	-	-
- James Boulcott	ditto	95	-	-
		£. 188	-	-

— No. 10. —

To the FAMILIES of deceased OFFICERS, &c. of the COMPANY'S MARITIME SERVICE, in the form of ANNUITIES.

		£.	s.	
Mrs. Elizabeth Balderston	widow of a commander	100	-	per annum during widowhood.
Clara Elizabeth Balderston	daughter of ditto	20	-	} per annum each, till 18 years old.
George V. Balderston	son of ditto	20	-	
George Lord	son of a purser	8	-	
Hannah Wright	widow of a carpenter	10	-	per annum during widowhood.
Elizabeth S. Wright	daughter of ditto	2	-	per annum till 18 years old.
		£. 160	-	

— No. 11. —

To the SECRETARIES and others employed under the Commissioners in *England* for investigating the Claims on his late Highness AMBER SING, formerly Rajah of Tanjore; in lieu of the Amounts stated in List No. 11, presented to the Honourable The House of Commons on the 26th June 1840.

NAME.	DESCRIPTION.	Period of Service.	Salary and allowed Emoluments.	Compensation per Annum, commencing Lady-day 1840.
Mr. George Parkhouse	secretary	31	900	450
- Robert Playfair	assistant secretary	33	600	300
- Charles B. Stockdale	head clerk	26	300	150
- Thomas Harrison	2d and resident clerk	19	330	165
- Josias Davison	messenger	23	78	39
- Thomas Winfield	ditto	23	78	39
- John Ansell	porter	14	52	26
			£.	1,169

— No. 6. —

ALLOWANCES, COMPENSATIONS, REMUNERATIONS and SUPERANNUATIONS granted to OFFICERS and SERVANTS of the *East India Company*, under the 93d Section of the Act 53 Geo. 3, c. 155, between 1 May 1840 and 1 May 1841.

NAME.	STATION.	Service	Age.	Amount of Salary and allowed Emoluments.	Proportion of Income which the Court are empowered to grant.	Amount of Superannuation Allowance per Annum.
		Years.	Years	£.		£.
Mr. John Barlow Rud- duck.	-- fourth assistant mathematical mas- ter at Addiscombe.	15	- -	250	one-half -	125
Mathew Richard Corps	-- owerlooker of fire-engines.	13	- -	130	- ditto -	50
Mrs. Jaue Popoff	-- assistant house- keeper.	14	60	90	- ditto -	45
						£. 220

(Nos. 7 to 11.)

COMPENSATIONS granted between 1 May 1840 and 1 May 1841, under the Act 3 & 4 Will. 4, c. 85, s. 7.

— No. 7. —

To reduced OFFICERS and SERVANTS of the *East India Company*, in *England*, and to their Widows and Children.

NAME.	OFFICE.	DESCRIPTION.	Length of Service.	Salary and allowed Emoluments.	Compensa- tion per Annum.
Mr. Mitchell Greenaway	clerk - -	-- consolidated warehouse de- partment.	Years. 38	£. 610	} 473
- James Burn -	- ditto - -	- ditto - -	24	100 } 570	
- John McLaurin	- assistant elder -	- ditto - -	10 ½	155	103
				£.	956
Joseph Champion	- office messenger -	- ditto - -	38 ½	Compensation per Week : 15 s.	39
				£.	995

*To the Widows' Funds of the Home Service, to make up the deficiencies in the }
Incomes of those Funds for the year ending 30 April 1840 - - - - } £. 1,639 3 1

— No. 8. —

To a COMMANDER and OFFICERS, &c. of the COMPANY'S MARITIME SERVICE, in the form of ANNUITIES.

Captain C. B. Tarbutt	- - -	commander	- - -	£. 150 per annum.
Mr. James Day	- - -	chief mate	- - -	80 "
- Nelson Gribble	- - -	- ditto -	- - -	60 "
- T. J. C. Wilkinson	- - -	third mate	- - -	60 "
- A. G. Watson	- - -	purser	- - -	40 "
Richard Hopewood	- - -	carpenter	- - -	12 "
Samuel Good	- - -	- ditto -	- - -	12 "
				£. 414 "

EAST INDIA COMPANY:
(HOME ACCOUNTS.)

A RETURN of the HOME ACCOUNTS of the
East India Company, presented pursuant to
Act 3 & 4 WILL. 4, c. 85.

Ordered, by The House of Commons, to be Printed,
14 June 1841.

EAST INDIA COMPANY.

HOME ACCOUNTS

OF

THE EAST INDIA COMPANY,

(Presented pursuant to the Act 3 & 4 WILL. 4, c. 85.)

LIST.

- No. 1.—An Account of the Receipts and Disbursements of the Home Treasury of the East India Company, from 1st May 1841 to 30th April 1842 - - - - - p. 2
- No. 2.—Estimate of the Receipts and Disbursements of the Home Treasury of the East India Company, from 1st May 1842 to 30th April 1843 - - - - - p. 5
- No. 3.—An Account of the Debts and Credits in England of the Government of India, on the 1st May 1842 - - - - - p. 6
- No. 4.—A List of the several Establishments of the East India Company in England, and the Salaries and Allowances payable by the Court of Directors in respect thereof, on the 1st May 1842 - - - - - p. 7
- No. 5.—An Account of New or Increased Salaries, Establishments, or Pensions payable in Great Britain, granted or created between 1st May 1841 and 1st May 1842 - - - - - p. 8
- No. 6.—Allowances, Compensations, Remunerations and Superannuations granted to Officers and Servants of the East India Company, under the 93d Section of the Act 53 Geo. 3, c. 155, between the 1st May 1841 and 1st May 1842 - - - - - p. 9
- (Nos. 7 to 10.)—COMPENSATIONS granted between 1st May 1841 and 1st May 1842, under the Act 3 & 4 Will. 4, cap. 85, sec. 7.
- No. 7.—To reduced Officers and Servants of the East India Company in England, and to their Widows and Children - - - - - p. 9
- No. 8.—To the Maritime Service, in the form of Gratuities to those who have served less than Ten Years, computed according to Rank and Service - - - - - p. 10
- No. 9.—To the Families of deceased Officers of the Company's Maritime Service, in the form of Annuities - - - - - p. 10
- No. 10.—To Servants of the late China Establishment, by way of Annuities - - - - - p. 10

(Errors excepted.)

East India House, }
30 May 1842. }

JAMES C. MELVILL,
Secretary.

Ordered, by The House of Commons, to be Printed,
13 June 1842.

— No. 1. —

AN ACCOUNT of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the
East India Company, from 1st May 1841 to 30th April 1842.ON ACCOUNT OF THE REALIZATION OF THEIR COMMERCIAL ASSETS AND TRANSACTIONS
INCIDENT TO THE CLOSING OF THEIR COMMERCIAL CONCERNS.

RECEIPTS:		£.	s.	d.
Remittances from North American Colonies, on account proceeds of teas sold there by the Company's agents		10,566	2	-
	£.	10,566	2	-
DISBURSEMENTS:				
Charges incurred in realizing the goods, and for other purposes connected with the closing of the Company's commercial business:				
Warehouse charges and miscellaneous		1,714	5	7
Private trade; balances paid to proprietors of private trade goods		235	16	2
	£.	1,950	1	9
Balance applicable to the service of the Government of India		8,616	-	3
	£.	10,566	2	-

ON ACCOUNT OF THE GOVERNMENT OF INDIA.

		£.	s.	d.
Net amount, as before shown, realized from commercial assets within the year		8,616	-	3
RECEIPTS:				
Bills from India and China, on account supplies to the public service	£. . d.	21,010	17	3
Bills drawn on India for cash received into the home treasury		2,589,282	18	4
Advances made in India on security of the goods of individuals, repaid		1,145,796	11	3
From Her Majesty's Government, on account expenses of steam communication with India		50,000	-	-
From Her Majesty's Government, on account expenses of the expedition to China		423,442	-	-
Poplar fund, and unclaimed prize money of seamen		10,648	8	5
Fee fund for the house and warehouses		8,965	11	4
Widows' funds for the home service		21,947	15	8
Interest realized from investment of cash balances, less discount on anticipated receipt of remittances, and interest allowed on balances of funds in the Company's treasury		21,608	5	11
Principal of East India bonds issued to replace those discharged under notice from holders		168,900	-	-
		4,461,602	4	2
Balance in favour, 1st May 1841		1,038,299	16	9
	£.	5,508,518	1	2

DISBURSEMENTS :		£.	s.	d.	£.	s.	d.
Bills of Exchange from India :							
For principal of India debt - - - - -		250	-	-			
„ Interest of ditto - - - - -		68,139	16	11			
		£,68,389	16	11			
For effects of deceased officers, and other remittances -		5,186	5	4			
„ Interest of Tanjore claims adjudicated - - -		1,260	7	5			
					74,836	2	8
Dividends on India loan property transferred to books in England - - -					118,710	19	1
Advances to compassionate funds of India, repayable there - - -					238,678	12	1
Annuities paid in England chargeable to the Indian civil annuity funds - -					161,433	-	6
Expenses attending appeals from local courts in India, recoverable in India -					10,763	12	1
Family remittances, payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India - - -					33,366	16	7
Fee fund for the house and warehouses - - - - -					8,965	11	4
Widows' funds for the home service - - - - -					22,113	1	9
Poplar fund, and unclaimed wages and prize-money of seamen - - -					14,862	6	9
Unclaimed prize-money applicable to Lord Clive's fund, claims paid thereout -					1,635	9	-
Services chargeable to Her Majesty's Government - - - - -					9,987	17	6
Principal of home bond debt paid off under Court's advertisement of 15 November 1837 - - - - -		£.	s.	d.			
		400	-	-			
Principal of home bond debt paid off under notice from holders - - - - -		168,900	-	-			
					169,300	-	-
CHARGES ON THE REVENUES OF INDIA :		£.	s.	d.			
Dividends to proprietors of East India stock - - -		634,545	2	3			
Interest on the home bond debt - - - - -		61,372	14	7			
Military and other public stores exported and to be exported - - -		409,471	7	-			
Purchase and equipment of steam vessels - - - - -		143,624	18	9			
Transport of troops and stores - - - - -		55,730	14	8			
Furlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings - -		535,607	15	8			
Retired pay and pensions of persons of the late St. Helena establishment - - - - -		10,733	-	2			
Paymaster-general of Her Majesty's forces, for claims accrued against the Company in respect of Queen's troops serving in India - - - - -		400,000	-	-			
Payments under Act 4 Geo. 4, cap. 71, on account retiring pay, pensions, &c. of Her Majesty's troops serving or having served in India - - - - -		60,000	-	-			
Civil establishments of India, absentee allowances and passage-money - - - - -		44,240	9	2			
Expense of Tanjore commission in England - - - - -		269	-	10			
Her Majesty's mission to the court of Persia, on account of the portion of the charge payable by the Company, including an arrear - - - - -		17,556	16	9			
Her Majesty's establishment in China, on account of the portion of the charge payable by the Company - - -		4,783	6	8			
Carried forward - - - - -	£.	2,375,935	6	6	864,653	9	4

	£.	s.	d.	£.	s.	d.
Brought forward - - -	2,375,935	6	6	864,653	9	4
DISBURSEMENTS—continued.						
CHARGES, GENERAL, comprising—						
Board of Commissioners for the Affairs of India, salaries of the President and officers of the Board, including superannuation allowances granted by Warrant of the Crown, under Act 53 Geo. 3, c. 155, s. 91 - - - - -	28,050	18	11			
Salaries of the Court of Directors - - -	7,559	14	6			
Contingent expenses of the Courts of Directors and Proprietors, consisting of repairs to the East India House, taxes, rates and tithes, coals, candles, printing, stationery, book-binding, stamps, postage, and various petty charges - - -	28,868	1	2			
Salaries and allowances of the secretaries and officers of the Court of Directors - -	84,848	10	11			
Annuity and pensioners, including compensation annuities under Act 3 & 4 Will. 4, c. 85 - - - - -	243,787	17	8			
Haileybury College, net charge - - -	10,736	1	1			
Military Seminary at Addiscombe, net charge - - - - -	4,031	5	5			
Recruiting charges, pay of officers and non-commissioned officers of recruiting establishments, and of recruits previous to embarkation, bounty, &c. - - -	36,096	6	1			
Passage and outfit of Governor-General of India, Governor of Bombay, Puisne Judge at Madras, Chaplains, Company's officers in charge of recruits, officers of Her Majesty's Service proceeding to join their regiments, volunteers for the pilot service, &c. - - - - -	34,542	17	3			
Charges of the store department, articles for use in the inspection of stores, labour, &c. - - - - -	6,480	18	6			
Lord Clive's fund, net charge for pensions, &c. - - - - -	54,163	11	-			
Law charges - - - - -	11,654	11	10			
Cultivation and manufacture of cotton, &c. in India (expenses incurred in view to the improvement of) - - - - -	2,417	15	3			
Commission to agents at the out-ports, on realization of remittances - - - - -	1,187	19	5			
Maintenance of lunatics - - - - -	5,876	7	10			
Miscellaneous; consisting of expense of overland and ships' packets, maintenance of natives of India, donations to Bengal civil fund and to widows' funds for the home service, donations for services and relief, &c. - - - - -	13,507	8	5			
				573,810	5	3
EXTRAORDINARY:						
Compensations under Act 3 & 4 Will. 4, c. 85:—Payments by way of gratuity and commutation of annuities granted under that Act - - - - -				6,557	17	2
						2,956,303 8 11
				£.		3,820,956 18 3
Balance in favour, 30 April 1842 - - - - -						1,687,561 2 11
				£.		5,508,518 1 2

— No. 2. —

ESTIMATE of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the *East India Company*, from 1st May 1842 to 30th April 1843.

RECEIPTS:		£.
Remittances from India through Her Majesty's Government, on account of ordinary supplies to Her Majesty's Service	- - - - -	6,360
Ditto - - in all other modes	- - - - -	1,471,527
To be received from Her Majesty's Government in respect of steam communication with India	- - - - -	50,000
Ditto - - on account expenses of the expedition to China	- - - - -	800,000
Interest to be realized from investment of cash balances	- - - - -	22,300
East India bonds may be issued to replace those notified for discharge, <i>per contra</i>	- - - - -	100,000
		2,450,187
Balance of Cash, 1 May 1842	- - - - -	1,687,561
		£. 4,137,748
DISBURSEMENTS:		£.
Bills of Exchange from India	- - - - -	95,000
Dividends on India loan property transferred to the books in England	- - - - -	120,680
Advances to be made in England to the compassionate funds of India, repayable there	- - - - -	235,000
India annuity funds; civil service annuities payable in England	- - - - -	166,000
Expenses attending appeals from local courts in India, recoverable in India	- - - - -	28,000
Family remittances, payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India	- - - - -	44,230
Poplar funds; excess of the charge thereon above the current income, causing a diminution of the capital to the same extent-	- - - - -	5,560
Home bond debt; principal to be paid off under notice from holders	- - - - -	100,000
CHARGES ON THE REVENUES OF INDIA:		£.
Dividends to proprietors of East India stock	- - - - -	630,000
Interest on the home bond debt	- - - - -	62,730
Military and other public stores, exported and to be exported	- - - - -	383,454
Purchase and equipment of steam-vessels for India	- - - - -	60,000
Transport of troops and stores	- - - - -	91,000
Furlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings	- - - - -	550,000
Retired pay and pensions of persons of the late St. Helena establishment	- - - - -	10,000
Paymaster-general of Her Majesty's forces, for claims accrued against the Company in respect of Queen's troops serving in India.	- - - - -	220,000
Payments under Act 4 Geo. 4, c. 71, on account of retiring pay, pensions, &c., of Her Majesty's troops serving or having served in India	- - - - -	60,000
Civil establishments of India; absentee allowances and passage-money	- - - - -	40,000
Peninsular and Oriental Steam Navigation Company, in aid of the extension of steam communication with India	- - - - -	20,000
Her Majesty's mission to the court of Persia (portion of the charge payable by the Company, supposing the mission to be maintained upon its original scale throughout the year)	- - - - -	12,000
Her Majesty's establishment in China (portion of the charge payable by the Company)	- - - - -	4,784
Charges general; being for home establishments and expenses, civil, military and maritime pensions, recruiting charges, allowances for outfit, &c.	- - - - -	570,000
		2,713,968
		£. 3,508,438
EXTRAORDINARY:		
Warrants passed the Court unpaid, and other arrears, should they be demanded	- - - - -	227,662
		3,736,100
Balance in favour, 30 April 1843	- - - - -	401,648
		£. 4,137,748

— No. 3. —

AN ACCOUNT of the DEBTS and CREDITS in *England* of the Government of *India*, on the 1st May 1842:

DEBTS:		£.
Bills of exchange unpaid from India		24,533
Dividends on stock of the five per cent. transfer loan standing in the books in England unpaid		3,800
Warrants passed the Court unpaid		116,293
Amount owing for export stores		32,846
Unclaimed prize-money, applicable to Lord Clive's fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 59, bearing interest at five per cent. per annum)		65,634
Poplar fund, bearing interest at four per cent. per annum	£. 224,342	
Unclaimed prize-money, applicable to Poplar fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 50), bearing interest at four per cent. per annum	35,726	
		260,068
Her Majesty's Government; due per estimate on account charges of Queen's troops serving in India, after taking credit for sums due from Government to the Company		51,127
Dividends on the capital stock unclaimed		33,969
Interest on bonds unclaimed, including growing interest		17,517
Home bond debt, charged upon the revenues of India by 9th sec. 3 & 4 Will. 4, c. 85:		
Principal bearing interest at £. 3, 10, per cent. per annum	£. 1,734,300	
Principal not bearing interest	22,292	
		1,756,592
Balance of outstanding debts and liabilities of the late Commercial branch		7,367
		£. 2,369,746
CREDITS:		£.
The cash balance on the 1st May 1842		1,687,561
Stock and annuities in the public funds, standing in the Company's name, valued at the market prices on 30 April 1842		694,375
Military and other public stores remaining in England unshipped, 1 May 1842		82,194
Bills of exchange drawn in the Company's favour, unpaid		362,360
Owing from sundry persons for advances, repayable in England		22,978
Balances in the hands of officers of the home establishment, of sums advanced to pay charges		1,048
Computed value of buildings; -viz.		
The East India House	£. 268,200	
The East India College at Haileybury, and Military Seminary at Addiscombe	177,219	
The warehouses and premises in Leadenhall-street, and in New-street, Bishopsgate (store departments)	19,000	
		464,419
		£. 3,314,935
Brought down amount of Assets		£. 3,314,935
Debts		2,369,746
Balance in favour		£. 945,189

The above, on the one hand, is exclusive of the amount owing to proprietors for their capital stock; and, on the other hand, of the guarantee or security fund, formed under the provisions of the Act 3 & 4 Will. 4, c. 85.

— No. 4. —

A LIST of the several ESTABLISHMENTS of the *East India Company in England*, and the SALARIES and ALLOWANCES payable by the Court of Directors in respect thereof, on the 1st May 1842. (Act 3 & 4 Will. 4, c. 85, s. 116.)

	Number.	Salaries and Allowances.		
		£.	s.	d.
Secretary's office: consisting of a secretary, deputy secretary, five assistants in the respective branches of minuting and correspondence, accounts, pay, audit and marine; thirty-four clerks, one clerk in charge of the proprietor's room; one superintendent of extra clerks; a conductor of the correspondence relating to the vegetable productions of India; fourteen extra clerks; sixteen writers; one assistant elder; and sixteen messengers	91	43,229	--	--
Examiner's office: consisting of an examiner of India correspondence, an assistant examiner; first assistant; three clerks in the correspondence branch, three senior clerks, eight clerks, one superintendent of extra clerks, one registrar of India books and records, four extra clerks, seventeen writers and nine messengers	49	21,544	--	--
Office of the secretary in the military department; consisting of a secretary, an assistant secretary, seven clerks, six extra clerks, four writers and four messengers	23	10,539	--	--
Library and museum: the librarian (who is also Oriental examiner at the East India College and military seminary), a keeper of the museum, an extra writer, and two messengers	5	1,290	--	--
Clerk of the works and one messenger	2	473	--	--
Storekeeper's department consisting of an inspector of stores, one clerk, one sub-inspector, two examiners of cloth, nine examiners and two assistant examiners of military stores; one book-keeper, one examiner of stationery, one extra clerk, four writers, a carpenter and one messenger	95	6,080	--	--
Standing counsel	1	500	--	--
Solicitor	1	500	--	--
Examining physician	1	470	--	--
Examiner of veterinary instruments	1	100	--	--
Geographer	1	200	--	--
Chaplain to Poplar hospital	1	100	--	--
Doorkeepers and court-room messengers	5	1,270	--	--
Door-porters, messengers and fire-lighters	26	2,306	--	--
Fireman	1	100	--	--
Waterman	1	70	--	--
Housekeeper and assistant	2	180	--	--
Charwoman	8	300	--	--
East India College: the principal, eight professors, and forty-three public servants	52	6,844	--	--
Military Seminary: the public examiner and inspector, lieutenant-governor, twenty professors, assistant professors, masters, staff and other officers, and thirty-five non-commissioned staff and public servants	57	9,242	--	--
Military depot at Chatham, comprising five officers and twenty-six non-commissioned staff	31	3,958	--	--
Recruiting districts: five officers and thirty-two non-commissioned staff	37	3,798	--	--
Number of persons	421	113,093	--	--

— No. 5. —

AN ACCOUNT of New or Increased SALARIES, ESTABLISHMENTS or PENSIONS, payable in Great Britain, granted or created between 1st May 1841 and 1st May 1842.

SALARIES:		£.	s.	d.
Increase of salary to Lieut.-Col. John G. Bonner, inspector of military stores - -		200	-	-
Ditto - - to Mr. Lewis Humbert, clerk in the office of the inspector of military stores - - - - -		50	-	-
Ditto - - to Mr. Samuel James Wood, book-keeper in the office of the inspector of military stores - - - - -		50	-	-
Ditto - - to Mr. John Davison, clerk in the buying department of the Secretary's office - - - - -		100	-	-
Ditto - - to Mr. John Cottell, assistant in the registrar's department of the examiner's office - - - - -		100	-	-
	£.	500	-	-
PENSIONS:				
Mrs. Hannah Crispin, mother of the late Lieutenant George C. Crispin, of the 2d regiment Bengal Cavalry, in consideration of the peculiar circumstances under which he lost his life in the engagement at Purwan Durrah, and of the state of pecuniary distress to which she is reduced, granted a special allowance of - -		50	-	-
Mrs. Eliza Barnard, widow of Second Lieut. C. Barnard, formerly of the Indian Navy, permitted to receive in this country the pension granted to her by the Bombay Government - - - - -		37	12	-
Mrs. Mary Harriet Campbell, widow and administratrix of Major-General Charles Campbell; as a compromise of her claim to a sum of 965 l. East India Stock, which, up to June 1830, stood in the name of the deceased, but of which a fraudulent transfer was then obtained, with payment of dividends in arrear, from 1823 -		150	-	-
Mrs. Catherine Soanes, widow of a Surveyor of Private Trade; on a compassionate view of the situation in which she is left by the decease of her husband; granted during widowhood 20 l. per annum, and 5 l. per annum for her daughter, Ellen Mary, till marriage or 21 years of age - - - - -		25	-	-
Misses Charlotte, Louisa, and Emma Worsley; granted a special allowance of 40 l. per annum, in consideration of the greatly reduced circumstances in which they are placed by the death of their brother, Lieut.-Colonel Thomas Worsley, of the Bengal Army, who served the Company uninterruptedly for 38 years, a proportionate part of such allowance to be struck off on the death or marriage of either of those Ladies - - - - -		40	-	-
Mrs. Wilhelmina Lodge; in consideration of the severe loss she has sustained by the death of her son, Lieut. Charles Lodge, of the Bombay Establishment, who was killed in action at Kotra, in December 1840, and of her present precarious and inadequate means of subsistence, granted a special allowance of - - - - -		30	-	-
Surgeon William Bogie, M. D., of the Bengal Establishment, in consideration of the almost total loss of sight sustained by him whilst in the performance of the active duties of his profession, and of the favourable view of his case entertained by the Bengal Government; granted, in addition to his half-pay on retirement of 7 s. a day, a special allowance of - - - - -		50	-	-
Mrs. Eliza Hudson, widow of Mr. Henry Hudson, formerly a Clerk in the East India House, whose retirement took place before the institution of the Widows' Fund, and of whose retiring pension of 200 l. per annum a moiety has hitherto been appropriated for her maintenance; allowed on a compassionate view of her case, to continue to receive the same by way of annuity - - - - -		100	-	-
The pension of 80 l. per annum granted for five years from the 30th November 1836 to Mr. Henry Enderwick, formerly an Engineer in the Bombay Mint; to be continued for a further period of three years under medical certificate - - - - -		80	-	-
Mr. William Cabell, late Assistant Secretary to the Board of Commissioners for the Affairs of India, Superannuation Allowance granted under Her Majesty's Warrant - - - - -		800	-	-
Sir John W. Awdry, late Chief Justice of the Supreme Court of Judicature at Bombay, the pension granted by Her Majesty under the provisions of the Legislature, to be paid in this country during his life - - - - -		1,200	-	-

HOME ACCOUNTS OF THE EAST INDIA COMPANY.

9

PENSIONS—continued.

	£.	s.	d.
Mrs. Catherine Mackenzie, mother of Captain Sir Alexander Mackenzie, bart., of the Bengal establishment, in consideration of the state of destitution in which she is left by his death, and of his not having left a widow or family chargeable upon the Company; granted a special allowance of	50	-	-
Mr. William Harvey, formerly of the Bombay Civil Establishment, and who is not entitled to any allowance from the Civil Fund; granted in consideration of his advanced age (70 years) and destitute situation	100	-	-
Sundry small Pensions to the widows and children of deceased elders, extra clerks and others of the home establishment, amounting to	46	8	8
The under-mentioned discharged soldiers who have held the rank of serjeant during the period prescribed by the Regulations, granted pensions of 1s. a day each from the Company's cash, in addition to their pensions from the Military Fund; viz.			
Serjeant Michael Brown, Bengal	-	-	-
" William Dodd "	-	-	-
" Thomas Potts "	-	-	-
" W. Washbrook, Bombay	-	-	-
	73	-	-
	£.	2,832	- 8

— No. 6. —

ALLOWANCES, COMPENSATIONS, REMUNERATIONS and SUPERANNUATIONS granted to OFFICERS and SERVANTS of the East India Company, under the 93d Section of the Act 53 Geo. 3, c. 155, between 1st May 1841 and 1st May 1842.

NAME.	STATION.	Service.	Age.	Amount of Salary and allowed Emoluments.	Proportion of Income which the Court are empowered to grant.	Amount of Superannuation Allowance per Annum.
		Years.	Years	£.		£. s. d.
Mr. John Hutchisson	extra clerk, Secretary's office	25	42	386	two-thirds	250 - -
Major H. E. Somerville	second in command and quarter-master at the dépôt at Chatham	service at dépôt 26, and in the Company's service 41	58	465	ditto	310 - -
Dr. Alex. Anderson	classical and mathematical master at the Military seminary at Addiscombe.	32	58	425	ditto	283 6 8
Mr. Robert Knott	extra clerk, Secretary's office	23	36	342	ditto	220 - -
Joseph Pearsall	messenger and fire-lighter	23	60	90	ditto	60 - -
				£.		1,123 6 8

(Nos. 7 to 10.)

COMPENSATIONS granted between 1st May 1841 and 1st May 1842, under the Act 3 & 4 Will. 4, c. 85, s. 7.

— No. 7. —

To reduced OFFICERS and SERVANTS of the East India Company, in England, and to their Widows and Children.

NAME.	OFFICE.	DESCRIPTION.	Length of Service.	Salary and allowed Emoluments.	Compensation per Annum.
			Years.	£.	£.
Mr. George Field		overlooker of long ells.	18	384	200

To the Widows' Funds for the Home Establishment, to make up the deficiencies in the Income of those Funds for the year ending the 30th April 1841 } £. 4,049. 7. 2.

—No. 8.—

To the MARITIME SERVICE, in the form of GRATUITIES to those who have served less than Ten Years; computed according to Rank and Service.

Mr. Ross M^cClintock, surgeon - - - - - £.407.

—No. 9.—

To the FAMILIES of deceased OFFICERS, &c. of the COMPANY'S MARITIME SERVICE, in the form of ANNUITIES.

	£.	s.	d.	
Mrs. Margaret Arnott - - widow of a surgeon -	56	-	-	per annum during widowhood.
Henry Arnott, Robert O. Arnott, } children of ditto, £. 11.4. -	44	16	-	- till 18 years of age.
Margaret Arnott, and Alfred } per annum each -				
B. Arnott - - - - - }				
Mrs. Isabella Burlin - - widow of a surgeon -	56	-	-	} per annum during widowhood.
- Amelia Bacon - - widow of a boatswain -	10	-	-	
- Elizabeth Chapman - widow of a ship's carpenter	10	-	-	
Elizabeth Anne, Phœbe Maria, } children of ditto, £. 2. 0. 6. }	6	1	6	till 18 years of age.
and John Chapman - - } per annum each -				
	£.	182	17	6

—No. 10.—

To SERVANTS of the CHINA ESTABLISHMENT by way of ANNUITIES.

	£.	s.	d.
Mr. John Harvey Astell - - - supra-cargo - - -	-	-	750 - -
- Henry Matthew Clarke - - ditto - - -	-	-	750 - -
			£. 1,500 - -

EAST INDIA COMPANY:
(HOME ACCOUNTS.)

A RETURN of the HOME ACCOUNTS of the
East India Company, presented pursuant to
Act 3 & 4 WILL. 4, c. 85.

Ordered, by The House of Commons, to be Printed,
13 June 1842.

E A S T I N D I A.

HOME ACCOUNTS OF THE EAST INDIA COMPANY; 1 MAY 1843.

(Pursuant to Act 3 & 4 WILL. IV., c. 85.)

ACCOUNTS respecting the ANNUAL TERRITORIAL REVENUES AND
DISBURSEMENTS of THE EAST INDIA COMPANY, for THREE
YEARS (1838/39—1839/40—1840/41), according to the latest Advices;
with an ESTIMATE of the same for the succeeding Year.

(Pursuant to Act 3 & 4 WILL. IV., c. 85, s. 116.)

Ordered, by The House of Commons, to be Printed,
21 June 1843.

HOME ACCOUNTS OF THE EAST INDIA COMPANY,
(Presented pursuant to the Act 3 & 4 WILL. IV., c. 85);

L I S T.

- No. 1.—An Account of the Receipts and Disbursements of the Home Treasury of the East India Company, from 1st May 1842 to 30th April 1843 - - - - - p. 3
- No. 2.—Estimate of the Receipts and Disbursements of the Home Treasury of the East India Company, from 1st May 1843 to 30th April 1844 - - - - - p. 6
- No. 3.—An Account of the Debts and Credits in England of the Government of India, on 1st May 1843, - - - - - p. 7
- No. 4.—A List of the several Establishments of the East India Company in England, and the Salaries and Allowances payable by the Court of Directors in respect thereof, on 1st May 1843 - - - - - p. 8
- No. 5.—An Account of New or Increased Salaries, Establishments, or Pensions payable in Great Britain, granted or created between 1st May 1842 and 1st May 1843 - - - - - p. 9
- No. 6.—Allowances, Compensations, Remunerations and Superannuations granted to Officers and Servants of the East India Company, under the 93d Section of the Act 53 Geo. 3, c. 155, between 1st May 1842 and 1st May 1843 - - - - - p. 10
- (Nos. 7 & 8).—COMPENSATIONS granted between 1st May 1842 and 1st May 1843, under the Act 3 & 4 Will. 4, cap. 85, sec. 7.—viz.
- No. 7.—To the Widows and Children of deceased Officers and Servants of the East India Company in England - - - - - p. 10
- No. 8.—To the Families of deceased Officers, &c. of the Company's Maritime Service, in the form of Annuities - - - - - p. 10

(Errors excepted.)

East India House, }
31 May 1843. }

JAMES C. MELVILL,
Secretary.

ACCOUNTS respecting the ANNUAL TERRITORIAL REVENUES and DISBURSEMENTS of the EAST INDIA COMPANY, for Three Years (1838/39—1839/40—1840/41), according to the latest Advices; with an Estimate of the same for the succeeding Year;—(in obedience to the Act 3 & 4 WILL. IV., c. 85, sec. 116.)

L I S T.

- No. 1.—An Account of the Revenues and Charges of the Bengal Presidency, for Three Years, according to the latest Advices, with an Estimate of the same for the succeeding Year - - - - - p. 12-13
- No. 2.—An Account of the Cash Transactions of the Bengal Presidency, for Three Years, according to the latest Advices, with an Estimate of the same for the succeeding Year - - - - - p. 14-15
- No. 3.—An Account of the Revenues and Charges of the North-Western Provinces (late Agra Presidency), for Three Years, according to the latest Advices, with an Estimate of the same for the succeeding Year - - - - - p. 16-17
- No. 4.—An Account of the Cash Transactions of the North-Western Provinces (late Agra Presidency), for Three Years, according to the latest Advices, with an Estimate of the same for the succeeding Year - - - - - p. 16-17
- No. 5.—An Account of the Revenues and Charges of the Madras Presidency, for Three Years, according to the latest Advices, with an Estimate of the same for the succeeding Year - - - - - p. 18-19
- No. 6.—An Account of the Cash Transactions of the Madras Presidency, for Three Years, according to the latest Advices, with an Estimate of the same for the succeeding Year - - - - - p. 20-21
- No. 7.—An Account of the Revenues and Charges of the Bombay Presidency, for Four Years, according to the latest Advices - - - - - p. 22-23
- No. 8.—An Account of the Cash Transactions of the Bombay Presidency, for Four Years, according to the latest Advices - - - - - p. 24-25
- No. 9.—A Statement of the Charges defrayed in England on Account of the Indian Territory, in the Years comprised in the preceding Accounts - - - - - p. 26
- No. 10.—General Abstract View of the Revenues and Charges of India, for the Years comprised in the preceding Accounts, including the Charges disbursed in this Country - - - - - p. 27
- No. 11.—A Combined Account of the Cash Transactions of India, for the Years comprised in the preceding Accounts - - - - - p. 28
- No. 12.—An Account of the Public Debts bearing Interest, outstanding at the several Presidencies in the East Indies, on the 30th April 1841; also, of the Rates and Annual Amount of Interest payable thereon - - - - - p. 29

(Errors excepted.)

East India House, }
22 May 1843. }

JAMES C. MELVILL,
Secretary.

HOME ACCOUNTS OF THE EAST INDIA COMPANY; 1 MAY 1843.

— No. 1. —

AN ACCOUNT of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the
East India Company, from 1st May 1842 to 30th April 1843.ON ACCOUNT OF THE REALIZATION OF THEIR COMMERCIAL ASSETS AND TRANSACTIONS
INCIDENT TO THE CLOSING OF THEIR COMMERCIAL CONCERNS.

RECEIPTS:		£.	s.	d.
Sale of a cutter belonging to the late factory at Canton	- - - -	1,200	-	-
Excess of payments in the current year	- - - -	192	4	-
		£.	1,392	4 -
DISBURSEMENTS:		£.	s.	d.
Charges incurred in realizing the assets of the Company, and for other purposes connected with the closing of the Company's commercial business:				
Freight	- - - -	314	6	8
Warehouse charges and miscellaneous	- - - -	964	1	6
			1,278	8 2
Private trade; balances paid to proprietors of private trade goods	- - - -		113	15 10
		£.	1,392	4 -

ON ACCOUNT OF THE GOVERNMENT OF INDIA.

RECEIPTS:		£.	s.	d.
Bills from India and China, on account supplies to the public service	- - - -	23,211	5	11
Bills drawn on India for cash received into the home treasury	- - - -	1,197,438	10	5
Advances made in India on security of the goods of individuals, repaid	- - - -	492,985	3	8
Bills in favour of the Company from Madras, the consideration for which will be paid at that presidency on the receipt of intelligence of their having been liquidated in this country	- - - -	20,000	-	-
From Her Majesty's Government, on account expenses of steam communication with India	- - - -	50,000	-	-
From Her Majesty's Government, on account expenses of the expedition to China	- - - -	800,000	-	-
Poplar fund, and unclaimed prize money of seamen	- - - -	10,402	14	10
Fee fund for the house and warehouses	- - - -	8,414	7	11
Widows' funds for the home service	- - - -	21,815	14	2
Interest realized from investment of cash balances, less discount on anticipated receipt of remittances, and interest allowed on balances of funds in the Company's treasury	- - - -	25,854	5	9
Principal of East India bonds issued to replace those discharged under notice from holders	- - - -	100,000	-	-
			2,750,122	2 8
- Balance in favour, 1st May 1842	- - - -		1,687,561	2 11
		£.	4,437,683	5 7

DISBURSEMENTS :						
	£.	s.	d.	£.	s.	d.
Bills of Exchange from India :						
For principal of India debt - - - - -	812	10	-			
„ Interest of ditto - - - - -	70,116	16	3			
	£. 70,929	6	3			
For effects of deceased officers, and other remittances -	6,231	13	1			
„ Interest of Tanjore claims adjudicated - - -	1,127	6	3	78,288	5	7
Dividends on India loan property transferred to the books in England - -				121,194	-	5
Advances to the civil, military and other provident funds of India, repayable there - - - - -				239,405	7	6
Annuities paid in England chargeable to the Indian civil annuity funds -				169,831	-	6
Expenses attending appeals from local courts in India, recoverable in India -				11,578	7	-
Family remittances, payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India - - -				31,943	6	-
Fee fund for the house and warehouses - - - - -				8,414	7	11
Widows' funds for the home service - - - - -				22,362	14	2
Poplar fund, and unclaimed wages and prize money of seamen - - -				12,657	11	9
Unclaimed prize money applicable to Lord Clive's fund ; claims paid thereout				183	7	10
Services chargeable to Her Majesty's Government - - - - -				3,293	18	9
Principal of home bond debt paid off under Court's advertisement of 15 November 1837 - - - - -	£.	s.	d.			
	100	-	-			
Principal of home bond debt paid off under notice from holders 100,000 - - -				100,100	-	-
Purchase of barracks and land at Warley for the recruiting depôt removed from Chatham - - - - -				16,385	8	10
				815,637	16	3
CHARGES ON THE REVENUES OF INDIA :						
	£.	s.	d.			
Dividends to proprietors of East India stock - - -	625,884	11	4			
Interest on the home bond debt - - - - -	62,256	7	10			
Military and other public stores exported and to be exported - - - - -	394,431	5	8			
Purchase and equipment of steam vessels - - - - -	100,669	1	11			
Transport of troops and stores - - - - -	71,597	13	10			
Board of Ordnance, for arms and accoutrements supplied to Her Majesty's troops embarked for India - - -	26,396	14	3			
Furlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings -	532,799	1	8			
Retired pay and pensions of persons of the late St. Helena establishment - - - - -	9,539	19	1			
Paymaster-general of Her Majesty's forces, for claims accrued against the Company in respect of Queen's troops serving in India - - - - -	150,000	-	-			
Payments under Act 4 Geo. 4, c. 71, on account of retiring pay, pensions, &c. of Her Majesty's troops serving or having served in India (three quarters) - - -	45,000	-	-			
Civil Establishments of India, absentee allowances and passage-money - - - - -	40,686	-	11			
Her Majesty's mission to the court of Persia, portion of the charge payable by the Company - - - - -	12,000	-	-			
Her Majesty's establishment in China, portion of the charge payable by the Company - - - - -	4,450	-	-			
Carried forward - - - - -	£.			2,075,710	16	6
				815,637	16	3

	£.	s.	d.	£.	s.	d.
Brought forward - - -	2,075,710	16	6	815,637	16	3
DISBURSEMENTS—continued.						
CHARGES, GENERAL, comprising—						
Board of Commissioners for the Affairs of India, salaries of the President and Officers of the Board, including superannuation allowances, granted by warrant of the Crown, under Act 53 Geo. 3, c. 155, s. 91 - - - - -	28,383	-	-			
Salaries of the Court of Directors - -	7,597	10	8			
Contingent expenses of the Courts of Directors and Proprietors, consisting of repairs to the East India House, taxes, rates and tithes, coals, candles, printing, stationery, book-binding, stamps, postage, and various petty charges - -	26,904	10	7			
Salaries and allowances of the secretaries and officers of the Court of Directors -	86,519	7	8			
Annuitants and pensioners, including compensation annuities under Act 3 & 4 Will. 4, c. 85 - - - - -	239,011	8	9			
Haileybury College, net charge - -	8,649	18	11			
Military Seminary at Addiscombe, net charge - - - - -	3,729	4	2			
Recruiting charges, pay of officers and non-commissioned officers of recruiting establishments, and of recruits previous to embarkation, bounty, &c. - -	35,585	17	6			
Passage and outfit of Governor and Commander-in-Chief of Madras, Chaplains, Company's officers in charge of recruits, officers of Her Majesty's service proceeding to join their regiments, volunteers for the pilot service, &c. -	39,362	3	-			
Charges of the store department, articles for use in inspection of stores, labour, &c. - - - - -	5,749	13	10			
Lord Clive's fund, net charge for pensions, &c. - - - - -	56,274	4	8			
Law charges - - - - -	3,710	7	-			
Cultivation and manufacture of cotton, &c. in India (expenses incurred in view to the improvement of) - - - -	283	11	-			
Commission to agents at the out-ports, on realization of remittances - - - -	206	7	8			
Maintenance of lunatics - - - -	5,475	16	1			
Miscellaneous; consisting of expense of overland and ship's packets, maintenance of natives of India, donations to Bengal civil fund, and to widows' funds, for the home service, donations for services and relief, &c. - - - -	2,187	3	10			
				549,630	5	4
EXTRAORDINARY:						
Compensations under Act 3 & 4 Will. 4, c. 85:—Payments by way of gratuity and commutation of annuities granted under that Act - - - - -	£. 8,312	7	3			
Excess of payments, as before shown, in respect of the commercial assets - -	192	4	-			
				8,504	11	3
						2,633,845 13 1
				£.		3,449,483 9 4.
Balance in favour, 30 April 1843 - - - - -						988,199 16 3
				£.		4,437,683 5 7

— No. 2. —

ESTIMATE of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the *East India Company*, from 1st May 1843 to 30th April 1844.

RECEIPTS:		£.
Remittances from India through Her Majesty's Government, on account of ordinary supplies to Her Majesty's service - - - - -		30,000
Ditto - - in all other modes - - - - -		3,000,000
To be received from Her Majesty's Government, in respect of steam communication with India - - - - -		50,000
Ditto - - on account expenses, of the expedition to China - - - - -		800,000
Interest to be realized from Investment of cash balances - - - - -		5,800
		3,885,800
Balance of Cash, 1 May 1843 - - - - -		988,200
	£.	4,874,000
DISBURSEMENTS:		
Bills of Exchange from India - - - - -		121,000
Dividends on India loan property transferred to the books in England - - - - -		125,600
Advances to be made in England to civil, military and other provident funds of India, repayable there - - - - -		237,000
India annuity funds; civil service annuities payable in England - - - - -		179,000
Expenses attending appeals from local courts in India, recoverable in India - - - - -		23,000
Family remittances, payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India - - - - -		41,900
Poplar fund; excess of the charge thereon above the current income, causing a diminution of the capital to the same extent - - - - -		4,560
CHARGES ON THE REVENUES OF INDIA:		£.
Dividends to proprietors of East India stock - - - - -		630,000
Interest on the home bond debt - - - - -		60,700
Military and other public stores, exported and to be exported - - - - -		413,859
Purchase and equipment of steam-vessels for India - - - - -		73,800
Transport of troops and stores - - - - -		54,000
Furlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings - - - - -		556,500
Retired pay and pensions of persons of the late St. Helena establishment - - - - -		9,500
Paymaster-general of Her Majesty's forces, for claims accrued against the Company in respect of Queen's troops serving in India - - - - -		400,000
Payments under Act 4 Geo. 4, c. 71, on account of retiring pay, pensions, &c., of Her Majesty's troops serving or having served in India - - - - -		60,000
Civil establishments of India; absentee allowances and passage-money - - - - -		40,000
Peninsular and Oriental Steam Navigation Company, in aid of the extension of steam communication with India - - - - -		20,000
Her Majesty's mission to the court of Persia (portion of the charge payable by the Company) - - - - -		12,000
Her Majesty's establishment in China (portion of the charge payable by the Company) - - - - -		4,784
Charges general; being for home establishments and expenses, civil, military and maritime pensions, recruiting charges, allowances for outfit, &c. - - - - -		558,000
		2,893,143
	£.	3,625,203
EXTRAORDINARY:		
Warrants passed the Court unpaid, and other arrears, should they be demanded - - - - -		244,775
		3,869,978
Balance in favour, 30 April 1844 - - - - -		1,004,022
	£.	4,874,000

— No. 3. —

AN ACCOUNT of the DEBTS and CREDITS in *England* of the Government of *India*, on the 1st May 1843.

DEBTS:	£.	£.
Bills of exchange unpaid from India - - - - -	21,663	
Dividends on stock of the five per cent. transfer loan standing in the books in England unpaid - - - - -	4,030	
Warrants passed the Court unpaid, and other arrears - - - - -	317,900	
Amount owing for export stores - - - - -	55,760	
Unclaimed prize-money, applicable to Lord Clive's fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 50, bearing interest at five per cent. per annum) - - - - -	65,450	
Poplar fund, bearing interest at four per cent. per annum - - - - - £. 222,111		
Unclaimed prize-money, applicable to Poplar fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 50), bearing interest at 4 per cent. per annum - - - - - 35,702		
	257,813	
Her Majesty's Government; due per estimate on account charges of Queen's troops serving in India - - - - -	751,544	
Dividends on the capital stock unclaimed - - - - -	38,051	
Interest on bonds unclaimed, including growing interest - - - - -	17,988	
Home bond debt, charged upon the revenues of India, by 9th sec. 3 & 4 Will. 4, c. 85:		
Principal bearing interest at £. 3. 10. per cent. per annum - - - - - £. 1,734,300		
Principal not bearing interest - - - - - 22,192		
	1,756,492	
		3,286,691
Balance of outstanding debts and liabilities of the late Commercial branch - - - - -		7,253
		£. 3,293,944
CREDITS:		
The cash balance on 1st May 1843 - - - - -	988,200	
Stock and annuities in the public funds, standing in the Company's name, valued at the market prices on 30th April 1843 - - - - -	721,505	
Military and other public stores remaining in England unshipped, 1st May 1843 - - - - -	119,974	
Bills of exchange drawn in the Company's favour, unpaid - - - - -	202,974	
Owing from sundry persons for advances, repayable in England - - - - -	9,556	
Balances in the hands of officers of the home establishment, of sums advanced to pay charges - - - - -	1,018	
Computed value of buildings and land; viz.		
The East India House - - - - - £. 268,200		
The East India College at Haileybury, and Military Seminary at Addiscombe - - - - - 177,219		
Warley Barracks, near Brentwood, Essex - - - - - 18,000		
The warehouses and premises in Leadenhall-street, and in New-street, Bishopsgate (store departments) - - - - - 19,000		
	482,419	
Receivable from Her Majesty's Government on account expenses of the expedition to China, to 30th April 1843 - - - - -	800,000	
		£. 3,385,646
Brought down, Amount of Assets - - - - -		£. 3,385,646
Debts - - - - -		3,293,944
		£. 91,702

The above, on the one hand, is exclusive of the amount owing to proprietors for their capital stock; and, on the other hand, of the Guarantee or Security Fund formed under the provisions of the Act 3 & 4 Will. 4, c. 85.

—No. 4.—

A LIST of the several ESTABLISHMENTS of the *East India Company* in *England*, and the SALARIES and ALLOWANCES payable by the Court of Directors in respect thereof, on the 1st May 1843. (Act 3 & 4 Will. 4, c. 85, s. 116.)

	Number.	Salaries and Allowances.		
		£.	s.	d.
Secretary's office: consisting of a secretary, deputy secretary, five assistants in the respective branches of mibuting and correspondence, accounts, pay, audit and marine; thirty-four clerks; one clerk in charge of proprietor's room; one superintendent of extra clerks; a conductor of the correspondence relating to the vegetable productions of India; fourteen extra clerks; eighteen writers; one assistant elder; and sixteen messengers	93	43,490	-	-
Examiner's office: consisting of an examiner of India correspondence; an assistant examiner; first assistant; three clerks in the correspondence branch, three senior clerks, eight clerks, one superintendent of extra clerks, one registrar of India books and records, four extra clerks, fifteen writers and nine messengers	47	21,645	-	-
Office of the secretary in the military department, consisting of a secretary, an assistant secretary, seven clerks, six extra clerks, four writers and four messengers	23	10,683	-	-
Library and museum: the librarian (who is also Oriental examiner at the East India College and military seminary), the keeper of the museum, an extra writer, and two messengers	5	1,290	-	-
Clerk of the works and one messenger	2	473	-	-
Storekeeper's department: consisting of an inspector of stores, one clerk, one sub-inspector, two examiners of cloth, nine examiners and two assistant examiners of military stores; one book-keeper, one examiner of stationery, one extra clerk, four writers, a carpenter and one messenger	25	6,083	-	-
Standing counsel	1	500	-	-
Solicitor	1	500	-	-
Examining physician	1	470	-	-
Examiner of veterinary instruments	1	100	-	-
Geographer	1	200	-	-
Chaplain to Poplar hospital	1	100	-	-
Doorkeepers and court-room messengers	5	1,270	-	-
Door-porters, messengers and fire-lighters	25	2,200	-	-
Fireman	1	100	-	-
Waterman	1	70	-	-
Housekeeper and assistant	2	180	-	-
Charwoman	8	300	-	-
East India College: the principal, eight professors, and forty-three public servants	52	6,840	-	-
Military Seminary: the public examiner and inspector, lieutenant-governor, twenty professors, assistant professors, masters, staff and other officers, and thirty-five non-commissioned staff and public servants	57	9,350	-	-
Military depôt at Chatham, comprising five officers and twenty-six non-commissioned staff	31	3,958	-	-
Recruiting districts: five officers and thirty-two non-commissioned staff	37	3,468	-	-
TOTAL Number of Persons	420	113,270	-	-

— No. 5. —

AN ACCOUNT of New or Increased SALARIES, ESTABLISHMENTS or PENSIONS, payable in Great Britain, granted or created between 1st May 1842 and 1st May 1843.

SALARIES:		£	s.	d.
Lieut. Cook, R.N., second professor of fortification at the military seminary at Addiscombe, in addition to his salary - - - - - per annum		100	-	-
ESTABLISHMENTS:				
A subaltern officer, and an assistant surgeon at the depôt at Warley, these offices to be held from time to time by officers on furlough, each 7 s. 6 d. per diem, and 20 l. per annum barrack allowance - - - - -		313	15	-
PENSIONS:				
Miss Elizabeth Newcomen, grand-daughter of Capt. James Urmston, who was in the Company's Maritime Service, in consideration of her permanent bodily affliction, helplessness and present destitution, granted from motives of compassion - - - - -		20	-	-
Sir Edward Ryan, Knight, late Chief Justice of the Supreme Court of Judicature at Calcutta, the pension granted by Her Majesty under the provisions of the Legislature, to be paid in this country during his life - - - - -		2,000	-	-
Sir Robert B. Comyn, Knight - - ditto - - ditto - - Madras - ditto		1,600	-	-
Misses Ann and Caroline Hudden, in compassion for their helpless and unprovided situation, and in reference to the long services of their father, formerly one of the Company's Cloth Drawers, granted each an annual allowance of 10 l. - - - - -		20	-	-
Mrs. Frances Jackson, widow of Mr. William Jackson, formerly of the Madras Civil Establishment, in consideration of the services of her late husband, and her unprovided situation consequent on his death - - - - -		100	-	-
Mr. Francis John Brown, late a Lieutenant in the Madras Artillery, on account of insanity - - - - -		60	-	-
Mr. George Bazett Lloyd, late Lieutenant 7th Bombay Native Infantry, in consideration of his lamentable state of destitution, and the favourable testimony borne by his commanding Officers to his character and conduct previous to dismissal by the sentence of a court martial, granted as a special case - - - - -		50	-	-
Mr. Peregrine Thorne, formerly a Lieutenant on the Madras Establishment, on account of insanity - - - - -		60	-	-
Mrs. Paulne Helfer, in consideration of the valuable services of her late husband, Dr. Helfer, during the time he was employed in scientific researches in India under the authority of the court, of his untimely death whilst engaged in the further prosecution of those important objects, and of her destitute condition, granted during widowhood - - - - -		100	-	-
Mr. Andrew Drummond, late an Assistant Surgeon on the Bengal Establishment, in consideration of the destitution to which he is reduced, and on a review of all the circumstances of his case, granted during pleasure - - - - -		50	-	-
Mrs. Catherine Hardyman, widow of Capt. Henry Hardyman, a pensioner on the Poplar Contingent Fund, to make up her income to 150 l. per annum, to which she is entitled under the regulations of that fund - - - - -		60	-	-
Mrs. Woodburn, mother of Capt. John Woodburn, 44th regiment Bengal Native Infantry, who was killed in action with the enemy, in consideration of the loss of income which she has sustained by his death, and of her nearly destitute state, granted for life - - - - -		50	-	-
Capt. John Charretie, late of the Company's Maritime Service, placed on the Pension List from 14th September 1838, that being the date when, according to his declaration of 25th October 1838, the income he had enjoyed during his wife's life-time, ceased, which cessation brought him, as far as respected property, within the rules of Poplar Fund - - - - -		150	-	-
Staff-Serjeant James Goime, granted on discharge from the depôt at Chatham, after a service of 21 years, a pension of 2 s. a day - - - - -		36	10	-
Mrs. Mary De Fontain, on a compassionate view of the distress in which she has been placed by the decease of her husband, Mr. John De Fontain, formerly of the Civil Service at Saint Helena, granted during widowhood - - - - -		60	-	-
Gunner Robert Bates, Bengal Artillery, discharged the service in consequence of losing both his arms by the accidental bursting of a gun, granted in addition to his pension of 1 s. 6 d. per day from the Military Fund - - - - -		9	2	6

PENSIONS—continued.		£.	s.	d.
Mrs. Charlotte Lifford, widow of a Surveyor of Private Trade, on a compassionate view of her destitute situation		20	-	-
Dennis O'Neill, a recruit discharged from Chatham depôt, in consequence of being rendered unfit for service from an injury received while on duty, granted 6d. a day for one year, its continuance beyond that date being dependent upon his capability or otherwise at that time of contributing towards his support by labour		9	2	6
Sundry small Pensions to the widows and children of deceased elders, extra clerks and others of the home establishment, amounting to		63	-	-
The under-mentioned discharged soldiers, who have held the rank of serjeant during the period prescribed by the Regulations, granted pensions of 1 s. a day each, in addition to pensions from the Military Fund:				
Serjeant-Major John Wray, Bengal Establishment		18	5	-
Serjeant John Venables	ditto	18	5	-
„ John Barnewall	ditto	18	5	-
		£.	4,572	10 -

— No. 6. —

ALLOWANCES, COMPENSATIONS, REMUNERATIONS and SUPERANNUATIONS granted to OFFICERS and SERVANTS of the *East India Company*, under the 93d Section of the Act 53 Geo. 3, c. 155, between 1st May 1842 and 1st May 1843.

NAME.	STATION.	Service.	Amount of Salary and allowed Emoluments.	Proportion of Income which the Court are empowered to grant.	Amount of Superannuation Allowance per Annum.		
					£.	s.	d.
Mr. Samuel Parloar	Assistant Professor of Mathematics at the Military Seminary.	33	425	two-thirds	283	6	8
William Austin	House Messenger	29	90	two-thirds	60	-	-
					£.	343	6 8

(Nos. 7 and 8.)

COMPENSATIONS granted between 1st May 1842 and 1st May 1843, under the Act 3 & 4 Will. 4, c. 85, s. 7;—viz.

No 7.—

To the WIDOWS and CHILDREN of deceased OFFICERS and SERVANTS of the *East India Company*, in *England*.

To the Widows' Funds for the Home Establishment, to make up the deficiencies } £.4,214. 17. 3.
in the Income of those Funds for the year ending 30th April 1842 - - - }

— No. 8. —

To the FAMILIES of deceased OFFICERS, &c., of the COMPANY'S MARITIME SERVICE, in the form of ANNUITIES.

		£.	s.	d.
Mrs. Jane Hine	widow of a Commander	100	-	- per annum during widowhood.
Ann Willmott	widow of a Gunner	10	-	- ditto - ditto.
Mary Elizabeth Treherne	children of a Chief } Mate, deceased - }	12	16	- per annum each till of the age of 18 years.
Fanny Treherne				
Robert Treherne				

A C C O U N T S

RESPECTING THE

ANNUAL TERRITORIAL REVENUES AND DISBURSEMENTS

OF

THE EAST INDIA COMPANY.

No. I.—AN ACCOUNT of the REVENUES and CHARGES of the BENGAL PRESIDENCY, for

REVENUES:					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.	
					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	
Mint Duties	-	-	-	-	5,94,629	5,16,325	5,07,230	5,69,844	
Post-office Collections	-	-	-	-	6,99,629	5,48,736	5,53,154	6,28,781	
Stamp Duties	-	-	-	-	19,24,889	21,02,837	21,86,005	22,55,000	
House Tax in Calcutta	-	-	-	-	2,15,873	2,07,773	2,05,267	-	
Excise Duties in ditto	-	-	-	-	1,89,138	2,24,974	1,69,953	3,40,300	
Judicial Fees and Fines	-	-	-	-	6,65,017	6,94,266	7,02,155	6,98,420	
Miscellaneous Civil Receipts, including net gain by Exchange Operations between India and England	-	-	-	-	29,25,126	20,30,000	18,39,339	12,23,461	
Land Revenue	-	-	-	-	3,46,20,170	3,37,06,020	3,46,48,654	3,73,23,211	
Sayer and Abkarry ditto	-	-	-	-	22,16,432	21,70,738	20,60,327	22,68,439	
Miscellaneous Receipts in the Revenue Department	-	-	-	-	2,78,328	2,42,979	1,13,819	91,600	
Receipts from the Territory ceded by the Burmese	-	-	-	-	15,15,860	15,92,974	16,28,298	15,27,384	
Customs	-	-	-	-	29,44,604	39,91,530	48,51,319	50,11,332	
Sale of Salt	-	-	-	-	2,15,90,373	1,88,62,180	1,92,36,567	1,92,51,127	
Sale of Opium	-	-	-	-	1,36,80,178	76,45,856	1,19,78,596	1,37,71,391	
Marine and Pilotage Receipts	-	-	-	-	7,01,642	5,97,450	8,21,513	7,71,744	
REVENUES of PRINCE of WALES' ISLAND, SINGAPORE and MALACCA:									
Prince of Wales' Island	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.					
Singapore	1,73,007	1,49,271	1,71,058	2,04,778					
Malacca	2,67,620	2,60,091	3,27,120	4,89,869					
	51,470	57,919	58,151	59,931					
					4,92,097	4,67,281	5,56,329	7,34,575	
Subsidy received from the Nagpore Government	-	-	-	-	6,45,351	9,54,649	8,00,000	8,00,000	
Tributes from the Nizam, Rajpoot and other States	-	-	-	-	10,64,816	13,15,959	10,62,448	11,09,103	
Interest on Arrears of Revenue, &c.	-	-	-	-	6,90,441	5,10,418	4,23,613	4,52,890	
TOTAL GROSS REVENUES					8,75,54,593	7,83,82,945	8,43,44,586	8,88,26,492	
Deduct, Allowances and Assignments payable out of the Revenues in accordance with Treaties or other Engagements	-	-	-	-	21,26,810	17,64,978	30,58,743	19,45,176	
					8,54,27,783	7,66,17,967	8,12,85,843	8,68,83,316	
CHARGES of collecting the REVENUES:									
Charges of collecting the Stamp Duties	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.					
Ditto - Land, Sayer and Abkarry	1,12,305	1,13,333	1,27,124	1,39,200					
Revenues	42,56,965	44,06,813	44,17,681	45,40,446					
Ditto - Customs	4,13,786	4,43,154	4,77,389	4,77,034					
Cost and Charges of Salt, including payments made to the French and Danish Governments under convention	39,43,070	40,09,454	44,39,792	52,96,369					
Costs and Charges of Opium	66,92,188	43,35,095	54,82,272	58,96,972					
					1,54,18,314	1,33,57,849	1,49,44,258	1,63,50,021	
TOTAL NET REVENUES of BENGAL PRESIDENCY, after payment of Allowances and Assignments, and Charges of Collection					7,00,09,469	6,32,60,118	6,63,41,585	7,05,33,295	
EXTRAORDINARY RECEIPTS from the Produce of the Commercial Assets (Act 3 & 4 Will. 4, c. 85, s. 1 & 4.)									
At BENGAL.									
Sales of Import Goods, Export Goods and Commercial Factories, and recoveries of outstanding Commercial Advances	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.					
	1,53,239	61,755	14,332	39,918					
At CANTON.									
The Sale Produce of Goods, and other Property in China	20,133	6,995	530	-					
					1,73,372	68,750	15,162	39,918	
TOTAL REVENUES and RECEIPTS					7,01,82,841	6,33,28,868	6,63,56,747	7,05,73,213	
BENGAL DEFICIENCY					72,78,860	1,88,52,057	2,09,83,405	2,58,35,244	
					Rupees	7,74,61,701	8,21,80,925	8,73,40,152	9,64,08,457

Note.—The Bengal Accounts having formerly included those of the Territories, which, under the Act 3 & 4 Will. 4, c. 85, s. 38, became subject to the Govern-

YEARS,	NET REVENUES, after Payment of Allowances and Assignments and Charges of Collection.		
	Bengal Presidency.	North-Western Provinces, (late Agra Presidency.)	Total.
	Company's Rupees.	Company's Rupees.	Company's Rupees.
1838/39	7,00,09,469	4,08,61,737	11,08,71,206
1839/40	6,32,60,118	3,87,28,622	10,19,88,740
1840/41	6,63,41,585	3,75,64,979	10,39,06,564
1841/42, estimated	7,05,33,295	4,17,38,050	11,22,71,345

Three Years, according to the latest Advices, with an ESTIMATE of the same for the succeeding Year.

CHARGES.					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
CIVIL and POLITICAL :								
Mint Duties					Co.'s Rs. 3,68,551	Co.'s Rs. 2,97,116	Co.'s Rs. 2,38,673	Co.'s Rs. 2,90,892
Post-office Charges					5,15,980	4,59,203	4,79,151	5,40,000
Charges of the Civil and Political Establishments, including Contingent Charges					94,51,065	1,10,02,309	97,39,275	1,00,26,095
TOTAL CIVIL and POLITICAL CHARGES					1,03,35,596	1,17,58,628	1,04,57,099	1,08,56,987
JUDICIAL and POLICE :								
Charges of the Queen's Supreme Court, and the other Local Courts within its Jurisdiction, including Law Charges					9,98,927	10,17,568	10,30,240	9,86,770
Ditto of the Sudder, Provincial and Zillah Courts					44,63,254	43,66,952	44,27,266	43,55,813
Provincial Police					8,61,484	8,54,971	8,47,230	8,44,300
TOTAL JUDICIAL and POLICE CHARGES					63,23,665	62,39,491	63,04,736	61,86,883
Charges in the Territory ceded by the Burmese					8,52,890	9,49,501	9,75,147	9,78,729
Marine and Pilotage Charges					16,79,204	17,45,248	17,37,818	20,89,498
Buildings, Roads and other Public Works, exclusive of Repairs					4,66,397	4,18,136	7,41,007	5,18,149
CHARGES of PRINCE of WALES' ISLAND, SINGAPORE and MALACCA :								
Prince of Wales' Island	Co.'s Rs. 2,87,078	Co.'s Rs. 2,60,789	Co.'s Rs. 2,39,009	Co.'s Rs. 2,23,396				
Singapore	1,95,114	2,17,424	2,00,554	2,18,722				
Malacca	1,10,067	1,10,647	1,15,171	1,07,172				
					5,92,259	5,88,860	5,54,734	5,49,290
Canton Financial Agency, Salaries and Contingencies (exclusive of Commission) paid in England					91,963	59,367	46,858	351
Military Charges (Bengal and Agra)	Co.'s Rs. 3,72,22,271	Co.'s Rs. 3,57,00,886	Co.'s Rs. 3,97,96,320	Co.'s Rs. 4,18,06,260				
Ditto - Buildings	99,213	1,90,025	1,80,964	4,45,000				
					3,73,21,484	3,58,90,911	3,99,76,384	4,22,51,260
War Charges (exclusive of the Expedition to China, chargeable to Her Majesty's Government)					52,96,662	81,94,048	94,17,813	1,38,17,978
Mission and Measures for the support of Schah Soojah, as explained in the Account No. 2					6,77,977	31,21,534	25,88,982	35,00,000
					6,35,38,097	6,89,65,724	7,28,00,578	8,07,49,110
Add, Amount of Unclaimed Deposits of Seven Years' standing, in the Judicial and Revenue Departments, credited to the Public Account, repaid					6,174	6,844	8,812	10,000
TOTAL CHARGES, exclusive of INTEREST on DEBT					6,35,44,271	6,89,72,568	7,28,09,390	8,07,59,110
Interest on Debt					1,39,13,018	1,31,91,357	1,45,30,762	1,56,49,347
TOTAL CHARGES of the BENGAL PRESIDENCY					7,74,57,289	8,21,63,925	8,73,40,152	9,64,08,457
EXTRAORDINARY CHARGES consequent upon the Discharge of the 6 per Cent. Remittable Debt :								
The Bonus of 5 per cent. on the transfer of Promissory Notes of the 6 per cent. Remittable Debt to the 5 per cent. Loan						800		
The difference of Exchange on Bills drawn on the Court, in discharge of the 6 per cent. Remittable Debt; viz. between the rate of 2 s. 6 d. the Sicca Rupee, at which the Loan is repayable, and the established rate of 2 s. the Sicca Rupee, observed in these Accounts in the conversion of Sterling Money into Indian Currency					4,412	16,200		
TOTAL EXTRAORDINARY CHARGES					4,412	17,000		
TOTAL CHARGES - - - Rupees					7,74,61,701	8,21,80,925	8,73,40,152	9,64,08,457

ment of the North-Western Provinces (late Agra Presidency), the Aggregate of Revenues and Charges of those Provinces, as shown in No. 3, is here inserted.

CHARGES.			SURPLUS in Bengal and North-Western Provinces.	Net Extraordinary Receipts from the Produce of the Commercial Assets.	NET SURPLUS in Bengal and the North-Western Provinces, including Produce of the Commercial Assets.
Bengal Presidency.	North-Western Provinces, (late Agra Presidency)	Total.			
<i>Company's Rupees</i>	<i>Company's Rupees.</i>	<i>Company's Rupees.</i>	<i>Company's Rupees.</i>	<i>Company's Rupees.</i>	<i>Company's Rupees.</i>
7,74,57,289	86,29,471	8,60,86,760	2,45,84,446	1,68,960	2,47,53,406
8,21,63,925	78,38,592	9,00,02,517	1,19,86,223	51,750	1,20,37,973
8,73,40,152	80,52,904	9,53,93,056	85,13,508	15,162	85,28,670
9,64,08,457	82,39,900	10,46,48,357	76,22,988	39,918	76,62,906

No. 2.—AN ACCOUNT of the CASH TRANSACTIONS of the BENGAL PRESIDENCY, for

					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
RECEIPTS:								
Cash Balances in the several Treasuries of this Presidency on 30th April - - - - -					3,95,33,421	2,69,55,685	3,07,85,059	3,27,42,108
DEBT INCURRED:								
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.				
Loans at 4 and 5 per cent.	1,06,17,604	47,27,239	1,49,44,348	2,39,00,756				
Bonus of 5 per cent. Stock, allowed on the Transfer of Promissory Notes, of the 6 per cent. Remittable Debt to 5 per cent. Loan	-	800	-	-				
Treasury Notes issued	6,14,251	39,65,619	1,16,81,359	26,15,138				
Bills outstanding	54,60,234	58,19,718	1,40,87,301	72,14,041				
Received on account of Civil and Military Funds	26,84,889	25,87,277	37,44,502	34,84,890				
Miscellaneous Deposits	2,41,10,559	1,87,68,190	1,93,54,913	2,02,17,189				
Tributes received applicable to the maintenance of Scandah's reformed Contingent	1,02,278	1,36,023	1,48,301	3,89,155				
TOTAL DEBT incurred - - -					4,85,89,815	3,60,04,866	6,39,60,724	5,78,21,169
Advances made by Government repaid, including Tuccavee Advances - - - - -					30,09,359	38,28,189	27,75,612	28,04,326
Mission and measures for the support of Schah Soojah, included in the amount of Advances per contra in the Accounts previously presented to Parliament, but now carried to the Account No. 1, as a Charge, in consequence of the Schah's death, and the evacuation of Afghanistan by the British Forces - - - - -					6,77,977	31,21,534	-	-
SUPPLIES FROM LONDON:								
Bills on the Court for Interest of India Debt	5,97,162	4,53,516	4,15,930	5,14,247				
Other Bills on the Court	15,960	34,829	26,414	34,257				
Dividends on Stock of the 5 per cent. Transfer Loan paid in England	12,06,088	12,03,796	12,12,777	12,15,600				
Advances in England recovered in Bengal	17,18,731	14,17,336	24,43,082	18,59,391				
Miscellaneous, including Credits to Her Majesty's Government	60,436	4,49,460	2,01,655	71,52,706				
The difference of Exchange between the rate of 2 s. 6 d. the Sicca Rupee, at which the Bills drawn from India, in liquidation of Remittable Debt, were discharged from the Commercial Assets, and the fixed rate of 2 s. the Sicca Rupee made use of in the Company's Accounts for the conversion of the Indian currency into Sterling Money	4,412	16,200	-	-				
Invoice value of Copper for Coinage	2,63,367	4,14,614	1,62,431	1,10,447				
TOTAL SUPPLIES FROM LONDON - - -					38,66,156	39,89,751	44,62,289	1,08,86,648
SUPPLIES FROM THE OTHER PRESIDENCIES:								
AGRA:								
Treasure	20,09,373	40,76,186	18,24,458	38,14,250				
Bills drawn	2,82,11,530	55,21,819	3,18,55,871	68,86,900				
Stores	37,071	-	-	-				
Indian Loans discharged	2,53,900	-	-	-				
Advances and Disbursements on account of Bengal	1,02,93,557	3,80,72,431	1,02,58,014	3,66,34,800				
	4,08,05,431	4,76,70,436	4,39,38,343	4,73,35,950				
MADRAS:								
Treasure	24,93,540	45,09,275	63,00,616	45,00,000				
Bills drawn	3,21,916	5,62,761	2,37,008	2,60,730				
Stores	87,121	18,147	1,46,157	-				
Indian Loans discharged	35,627	26,862	-	35,000				
Advances and Disbursements on account of Bengal	32,02,200	29,89,977	31,49,030	54,18,324				
	61,40,404	81,07,022	98,32,801	1,02,14,054				
BOMBAY:								
Treasure	-	-	12,28,476	45,46,200				
Bills drawn	39,940	3,76,819	6,99,753	23,43,600				
Stores	1,08,630	1,22,912	-	-				
Indian Loans discharged	78,400	53,250	15,879	28,984				
Advances and Disbursements on account of Bengal	42,19,399	95,04,912	1,08,65,261	1,30,19,178				
	44,46,369	1,00,57,893	1,28,09,369	1,99,37,958				
TOTAL SUPPLIES FROM THE OTHER PRESIDENCIES - - -					5,13,92,204	6,58,35,351	6,60,80,513	7,74,87,966
GRAND TOTAL - - - Rupees					14,20,68,932	13,97,35,376	16,80,64,197	18,17,42,217

Three Years, according to the latest Advices, with an ESTIMATE of the same for the succeeding Year.

					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
PAYMENTS:								
Deficit of Revenue, as shown in Account No. 1					72,78,860	1,88,52,057	2,09,83,405	2,58,35,244.
DEBT DISCHARGED:								
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.				
Loans at 4, 5, and 6 per cent	45,78,677	29,85,312	32,70,094	2,57,777				
Treasury Notes	37,90,073	13,11,642	1,07,36,446	27,42,354				
Bills outstanding	68,45,462	1,20,13,294	1,80,65,054	62,49,858				
Payments on account of Civil and Military Funds	19,06,339	17,76,572	27,93,113	29,55,149				
Miscellaneous Deposits	2,16,66,567	1,72,07,187	1,83,10,407	1,81,41,640				
Expense of Scindiah's reformed Contingent, payable out of the Assigned Tributes	2,06,045	6,02,260	3,20,721	5,54,468				
TOTAL DEBT discharged					3,89,93,162	3,58,96,267	5,34,95,835	3,29,01,246
Advances made by Government repayable, including Tuosavee Advances					32,44,539	73,03,571	22,83,628	22,85,149
SUPPLIES TO LONDON:								
Bills drawn by the Court discharged	2,58,60,484	76,38,100	1,68,14,631	3,06,03,479				
Bills on Her Majesty's Government transmitted	46,313	5,02,573	1,81,861	89,304				
Advances made upon the security of Goods, repayable by Bills drawn in favour of the Court from Bengal	52,84,463	1,06,93,238	58,46,800	84,42,141				
Ditto - from China	37,07,840	—	—	—				
Remittances by Consignments of Silk made to the Court	5,99,741	—	—	—				
Net Profit realized in England by sale of Silk consigned to the Court	93,849	1,08,471	—	—				
Miscellaneous, including net Gain by Exchange Operations with reference to the fixed rate of 2 s. the Sicca Rupee	22,50,829	20,34,529	11,61,620	9,64,994				
Supplies to Her Majesty's Government, repayable in England	2,31,254	9,40,142	48,99,021	96,10,578				
TOTAL SUPPLIES TO LONDON					3,80,74,773	2,19,17,053	2,89,03,933	3,99,10,496
SUPPLIES TO THE OTHER PRESIDENCIES:								
AGRA:								
Treasure	1,25,74,566	63,77,648	43,23,666	86,00,000				
Bills paid	32,78,602	27,31,521	22,75,996	28,10,600				
Stores	74,601	16,125	24,664	—				
Subscriptions to Indian Loans	1,96,100	59,600	3,01,000	29,00,000				
Advances and Disbursements on account of Agra	24,80,952	44,74,084	32,36,974	41,82,400				
	1,86,04,821	1,36,58,978	1,00,62,300	1,84,93,000				
MADRAS:								
Treasure	1,65,090	5,67,086	—	—				
Bills paid	10,05,456	6,39,606	3,72,781	1,71,100				
Stores	88,533	93,037	31,579	—				
Subscriptions to Indian Loans	5,18,300	1,77,800	25,00,500	32,58,100				
Advances and Disbursements on account of Madras	35,09,828	38,60,857	38,47,489	50,30,930				
	52,87,207	53,38,386	67,52,349	84,60,130				
BOMBAY:								
Treasure	1,95,000	—	30,07,066	15,00,000				
Bills paid	1,16,919	32,41,231	62,46,783	48,50,135				
Stores	75,684	—	3,083	5,212				
Subscriptions to Indian Loans	30,32,800	1,65,800	16,64,479	63,63,360				
Advances and Disbursements on account of Bombay	2,09,482	25,76,974	19,19,228	88,94,371				
	36,29,885	59,84,005	1,28,40,639	2,16,13,098				
TOTAL SUPPLIES TO THE OTHER PRESIDENCIES					2,75,21,913	2,49,31,369	2,96,55,288	4,85,66,228
TOTAL					11,51,13,247	10,89,50,317	13,53,22,089	14,94,98,363
CASH BALANCES in the several Treasuries, 30th April					2,69,55,685	3,07,85,059	3,27,42,108	3,22,43,854
GRAND TOTAL - - - Rupees					14,20,68,932	13,97,35,376	16,80,64,197	18,17,42,217

No. 3.—AN ACCOUNT of the REVENUES and CHARGES of the NORTH-WESTERN
with an Estimate of the same

	1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
REVENUES:				
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Post-office Collections - - - - -	8,40,598	3,50,170	3,96,279	4,25,000
Stamp Duties - - - - -	11,97,865	11,98,749	11,75,166	12,92,000
Judicial Fees and Fines - - - - -	1,55,896	1,40,088	1,32,400	1,40,000
Miscellaneous Civil Receipts - - - - -	67,522	8,80,597	58,901	27,500
Land Revenue - - - - -	4,16,54,639	3,97,75,137	3,78,13,442	4,29,34,000
Sayer and Abkarry - - - - -	16,33,216	16,46,603	18,99,185	19,03,000
Miscellaneous Receipts in the Revenue Department - - - - -	2,13,960	2,28,032	2,56,334	3,00,000
Customs - - - - -	50,80,478	19,94,925	20,89,991	46,35,000
Receipts from Salt (formerly included with receipts for Customs) - - - - -	-	27,19,769	24,73,226	-
Interest on Arrears of Revenue, &c. - - - - -	19,564	15,386	866	6,000
TOTAL GROSS REVENUES - - - - -	5,03,63,738	4,89,49,456	4,82,95,890	5,16,62,500
Deduct, Allowances and Assignments payable out of the Revenues, in accordance with Treaties or other Engagements, including those of the King of Delhi - - - - -	44,46,016	42,63,143	38,46,628	44,44,000
CHARGES of collecting the REVENUES:	4,59,17,722	4,46,86,313	4,24,49,262	4,72,18,500
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Charges of collecting the Stamp Duties - - - - -	1,23,701	1,80,554	49,518	50,000
Ditto - - - - Land and Sayer Revenues - - - - -	44,55,314	50,96,352	41,57,283	47,56,150
Ditto - - - - Salt - - - - -	-	29,258	29,612	-
Ditto - - - - Customs - - - - -	6,76,970	6,51,527	6,47,870	6,74,300
	52,55,985	59,57,691	48,84,283	54,80,450
NET REVENUES, after payment of Allowances, and Assignments, and Charges of Collection - - - - - Rupees	4,06,61,737	3,87,28,622	3,75,64,979	4,17,38,050

No. 4.—AN ACCOUNT of the CASH TRANSACTIONS of the NORTH-WESTERN
with an Estimate of the same

	1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
RECEIPTS:				
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Cash Balances in the several Treasuries on the 30th April - - - - -	1,62,39,059	2,47,67,412	1,93,84,081	1,58,28,347
Surplus Revenue, as shown in Account No. 3. - - - - -	3,20,32,266	3,06,90,030	2,95,12,075	3,34,93,150
DEBT INCURRED:				
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Temporary Loans - - - - -	39,25,511	-	10,39,536	75,000
Bills outstanding - - - - -	33,11,413	16,44,750	74,81,262	6,20,06,653
Miscellaneous Deposits - - - - -	92,60,139	91,09,510	1,26,80,932	84,50,000
TOTAL DEBT INCURRED - - - - -	1,64,97,063	1,07,54,260	2,12,01,729	7,05,29,653
Advances made by Government repaid, including Tuccavee Advances - - - - -	8,30,683	24,09,250	56,27,293	80,000
Supplies from London (Miscellaneous) - - - - -	20,903	15,948	9,152	-
SUPPLIES from the other PRESIDENCIES:				
BENGAL.				
Treasure - - - - -	62,61,335	1,01,07,753	47,29,960	86,00,000
Bills drawn - - - - -	28,43,848	23,43,340	23,55,688	34,00,000
Stores - - - - -	20,305	16,125	-	-
Subscriptions received to Indian Loans - - - - -	1,96,100	59,600	2,01,000	29,00,000
Advances and Disbursements on ac- count of the North-Western Pro- vinces, and Miscellaneous - - - - -	42,74,582	46,66,662	86,37,071	27,27,000
	1,35,96,170	1,71,93,480	1,09,23,719	1,76,27,000
MADRAS:				
Bills Drawn - - - - -	200	-	-	-
Miscellaneous - - - - -	23,273	214	-	1,200
	23,473	214	-	1,200
BOMBAY:				
Bills drawn - - - - -	13,480	-	9,708	-
Advances and Disbursements on ac- count of the North-Western Pro- vinces - - - - -	1,373	1,611	4,01,995	20,000
	14,853	1,611	4,11,703	20,000
TOTAL SUPPLIES from the other PRESIDENCIES - - - - -	1,36,34,486	1,71,95,805	1,13,35,422	1,76,48,200
GRAND TOTAL - - - - - Rupees	7,92,54,869	8,60,32,205	8,70,69,759	13,75,84,350

PROVINCES (late AGRA PRESIDENCY), for Three Years, according to the latest Advices, for the succeeding Year.

	1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
CHARGES:				
CIVIL and POLITICAL:				
Post-office Charges	2,58,940	3,64,677	4,24,075	4,27,000
Charges of the Civil and Political Establishments, including Contingent Charges	26,30,462	12,29,829	13,00,969	13,67,700
	28,89,402	15,94,506	17,25,044	17,94,700
JUDICIAL and POLICE:				
Charges of the Sudder, Provincial and Zillah Courts	44,43,539	40,29,661	39,86,569	41,12,900
Provincial Police	12,86,603	13,70,401	13,15,394	13,10,200
TOTAL JUDICIAL and POLICE CHARGES	57,30,142	54,00,062	53,01,963	54,23,200
Buildings, Roads, and other Public Works, exclusive of Repairs	93,755	6,81,202	9,69,478	8,88,000
Deduct,	87,13,299	76,75,770	79,96,485	81,04,900
Amount of Unclaimed Deposits of Seven Years' standing in the Judicial and Revenue Departments, credited to the Public Account	83,828	9,798	29,715	33,000
TOTAL CHARGES, exclusive of INTEREST ON DEBT	86,29,471	76,65,972	79,66,770	80,71,900
Interest on Debt	-	1,72,620	86,134	1,68,000
TOTAL CHARGES	86,29,471	78,38,592	80,52,904	82,39,900
AGRA SURPLUS	3,20,32,266	3,08,90,030	2,95,12,075	3,34,98,150
Rupees	4,06,61,737	3,87,28,622	3,75,64,979	4,17,38,050

Note.—The Military Charges of the North-Western Provinces (late Agra Presidency) are included amongst the Military Charges of Bengal.

PROVINCES (late AGRA PRESIDENCY), for Three Years, according to the latest Advices, for the succeeding Year.

	1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
PAYMENTS.				
DEBT DISCHARGED.				
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Temporary Loans	98,300	7,54,580	9,55,600	-
Bills outstanding	15,27,955	33,11,414	16,44,750	6,83,16,800
Miscellaneous Deposits	76,30,740	83,27,670	94,78,239	76,48,500
TOTAL DEBT DISCHARGED	92,56,995	1,23,93,664	1,20,78,589	7,59,65,300
Advances made by Government repayable, including Tuccavee Advances	24,54,718	54,92,578	45,13,017	95,000
Supplies to London (Miscellaneous)	100	1,200	3,534	-
SUPPLIES to the other PRESIDENCIES:				
BENGAL:				
Treasure	20,04,603	35,65,272	31,91,332	38,54,250
Bills paid	36,15,485	70,99,650	3,54,58,972	75,00,000
Interest on India Debt	8,36,623	5,31,297	12,33,408	8,00,000
Advances and Disbursements on account of Bengal, and Miscellaneous	3,52,34,874	3,63,05,674	1,19,42,684	3,55,82,800
	4,16,91,585	4,75,01,893	5,16,26,396	4,77,37,050
MADRAS:				
Bills paid	1,23,755	2,51,541	5,79,365	6,61,000
Advances and Disbursements on account of Madras	91,358	1,13,402	73,270	52,000
	2,15,113	3,64,943	6,52,635	7,13,000
BOMBAY:				
Bills paid	-	-	1,367	5,000
Advances and Disbursements on account of Bombay	8,68,546	8,93,846	21,65,867	10,69,000
	8,68,546	8,93,846	21,67,234	10,74,000
TOTAL SUPPLIES to the other PRESIDENCIES	4,27,75,244	4,87,60,682	5,46,46,265	4,95,24,050
CASH BALANCES in the several Treasuries on 30th April	Rupees 5,44,87,057	6,66,48,124	7,12,41,405	12,55,84,350
	2,47,67,412	1,93,84,081	1,58,28,347	1,20,00,000
GRAND TOTAL	Rupees 7,92,54,469	8,60,32,205	8,70,69,762	13,75,84,350

No. 5.—AN ACCOUNT of the REVENUES and CHARGES of the MADRAS
with an Estimate of the same

					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
REVENUES:					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Mint Duties -					22,361	28,149	8,475	10,000
Post-office Collections -					3,50,616	3,27,388	3,27,259	3,27,260
Stamp Duties -					4,82,018	4,83,862	4,99,822	4,81,790
Madras Town Assessment					2,818	—	—	—
Miscellaneous Civil Receipts, including net Gain by Exchange Operations between India and England -					2,98,878	1,73,309	1,72,116	2,28,720
Judicial Fees and Fines -					2,37,378	2,55,826	2,24,908	2,27,320
Land Revenue					3,23,73,016	3,22,56,007	3,27,90,857	3,29,74,130
Abkarry and Small Farms and Licenses -					18,46,570	23,25,523	18,84,332	19,52,420
Moturpha -					10,47,597	10,22,088	10,24,825	10,15,920
Miscellaneous Receipts in the Revenue Department					1,65,487	2,23,652	2,13,813	5,10,870
Customs, Sea and Inland					40,72,061	41,02,878	42,76,345	41,51,190
Sale of Tobacco -					8,23,348	8,45,869	8,27,441	8,17,700
Sale of Salt -					40,29,534	39,88,580	37,80,520	40,07,190
Marine Duties -					1,44,473	1,42,924	1,39,653	1,39,650
Profits of the Madras Government Bank -					1,07,429	1,14,765	1,29,594	1,31,000
Subsidies from Mysore, Travancore and Cochin -					35,26,639	34,73,167	34,46,431	34,46,430
TOTAL GROSS REVENUES - - - Rupees					4,95,30,223	4,97,63,987	4,97,46,391	5,04,21,590
Deduct,	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.				
Allowances and Assignments payable out of the Revenues, in accordance with Treaties or other Engagements, including those of the Nabob of the Carnatic, the Rajah of Tanjore, and the Mysore Princes -	52,45,992	53,19,673	52,83,713	52,26,720				
Petty Claims on the Carnatic discharged, and Salary and Establishment of the extra Commissioner -	40,229	59,184	—	—				
Sinking Fund for the redemption of the Bonds issued to the Creditors of the late Rajah of Tanjore -	—	—	—	2,89,624				
Tanjore Commission, and Interest paid on adjudged Tanjore Claims -	3,40,973	5,96,298	2,41,704	4,14,580				
					57,07,194	59,74,155	55,25,417	59,30,924
CHARGES of collecting the REVENUES:					4,38,28,029	4,37,89,832	4,42,20,974	4,44,90,668
Charges of collecting the Stamp Duties	52,098	50,538	52,640	52,250				
Ditto Land, Abkarry and Moturpha Revenues	47,01,197	46,06,410	46,96,948	46,78,239				
Ditto Customs -	5,60,105	5,16,968	5,03,234	5,06,590				
Cost and Charges of Tobacco -	2,52,889	2,93,758	2,00,448	1,96,460				
Ditto of Salt -	5,62,841	6,06,158	7,58,715	6,59,370				
					61,29,130	60,73,832	62,11,985	60,93,408
TOTAL NET REVENUES, after payment of Allowances and Assignments, and Charges of Collection -					3,76,93,899	3,77,16,000	3,80,08,989	3,83,97,258
EXTRAORDINARY RECEIPTS, from the Produce of the Commercial Assets (Act 3 & 4 Will. 4, c. 85, s. 1 & 4):							Excess Charges.	
Net Sale Produce of Goods and Dead Stock					485	2,159	1,117	600
TOTAL REVENUES and RECEIPTS - - - Rupees					3,76,94,384	3,77,18,159	3,80,07,872	3,83,96,658
MADRAS DEFICIT - - -						4,83,491		
Rupees					3,76,94,384	3,82,01,650	3,80,07,872	3,83,96,658

PRESIDENCY, for Three Years, according to the latest Advices,
for the succeeding Year.

CHARGES					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
CIVIL and POLITICAL					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
Mint Charges	-	-	-	-	65,649	40,568	68,475	1,18,560
Post-offices ditto	-	-	-	-	3,57,021	3,80,008	3,92,816	3,94,210
Charges of the Civil and Political Establishments, including Contingent Charges	-	-	-	-	31,83,234	35,19,708	32,57,100	35,10,572
Payments to the Creditors of the late Mr. Gilbert Ricketts, Registrar of the Supreme Court, under Act 1 Will. 4, p. 75	-	-	-	-	98	-	-	50,000
TOTAL CIVIL and POLITICAL CHARGES					36,10,990	39,40,284	37,18,391	40,73,342
JUDICIAL and POLICE :								
Charges of the Queen's Supreme Court, and the other Local Courts within its Jurisdiction, including Law Charges	-	-	-	-	4,09,161	4,17,929	4,03,837	4,15,149
Ditto of the Sudder, Circuit and Zillah Courts	-	-	-	-	24,32,941	25,04,092	24,51,125	24,22,360
Provincial Police	-	-	-	-	6,73,960	6,65,514	6,66,370	6,86,250
TOTAL JUDICIAL and POLICE CHARGES					35,16,062	35,87,535	35,21,332	35,23,759
Marine Charges	-	-	-	-	1,78,017	1,72,927	94,466	1,60,734
Buildings, Roads, and other Public Works, exclusive of Repairs	-	-	-	-	1,32,857	3,78,979	1,60,774	2,76,020
Military Charges	-	-	-	-	2,48,95,741	2,94,92,987	2,76,61,856	2,76,09,850
Ditto Buildings	-	-	-	-	84,691	1,25,748	60,827	4,51,930
TOTAL CHARGES, exclusive of INTEREST ON DEBT					2,49,80,432	2,96,18,685	2,77,22,183	2,80,61,780
Interest on Debt	-	-	-	-	4,63,261	5,03,240	5,38,302	6,23,490
TOTAL CHARGES					3,24,18,358	3,76,98,410	3,52,17,166	3,60,95,635
MADRAS SURPLUS					48,12,765	-	22,52,404	17,77,533
Rupees					3,76,94,384	3,82,01,650	3,80,07,872	3,83,96,658

No. 6.—AN ACCOUNT of the CASH TRANSACTIONS of the MADRAS
with an Estimate of the same

					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
RECEIPTS:								
Cash Balances in the several Treasuries of this Presidency on the 30th April - - -					2,36,76,558	2,49,18,621	2,13,42,285	2,17,95,408
Surplus of Revenue, as shown in Account No. 5 - - - - -					48,12,765	- - -	22,52,404	17,77,533
DEBT INCURRED:								
Received on account of Civil and Military Funds - - - - -	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.				
	21,49,980	21,57,182	24,56,139	23,06,660				
Government Bank - - - - -	9,218	-	-	-				
Miscellaneous Deposits - - - - -	55,22,098	64,53,252	59,59,419	56,57,280				
Bills outstanding - - - - -	41,527	2,32,278	-	-				
Floating Balance - - - - -	-	1,48,272	8,012	-				
Sinking Fund for the redemption of the Bonds issued to the Creditors of the late Rajah of Tanjore - - -	-	-	-	2,89,624				
TOTAL DEBT incurred - - -					77,22,823	89,90,984	84,23,570	82,53,564
Advances made by Government repaid, including Tuceavee Advances - - - - -					10,30,357	11,88,303	11,89,504	12,75,390
SUPPLIES from LONDON:								
Bills on the Court for Interest of India Debt - - - - -	2,06,438	1,75,862	1,62,601	-				
Bills on the Court for Principal of India Debt - - - - -	17,648	10,860	-	-				
Bills on the Court for Interest on Claims on the late Rajah of Tanjore - - -	11,926	10,990	12,883	-				
Other Bills on the Court - - - - -	1,00,645	1,32,984	1,16,475	-				
Advances in England repaid - - - - -	15,11,630	15,44,506	15,92,018	15,50,120				
Miscellaneous, including Credits to Her Majesty's Government - - - - -	3,047	1,03,973	3,25,635	1,06,340				
TOTAL SUPPLIES from LONDON - - -					18,51,334	19,79,175	22,09,612	19,17,060
SUPPLIES from the other PRESIDENCIES.								
RENGAL:								
Treasure - - - - -	1,67,449	5,66,242	-	-				
Bills drawn - - - - -	10,08,127	6,38,009	3,68,495	2,00,000				
Stores - - - - -	25,921	1,77,990	60,578	-				
Subscriptions received to Indian Loans - - - - -	5,90,309	1,78,247	38,44,500	33,12,000				
Advances and Disbursements on account of Madras - - - - -	27,96,434	37,17,959	33,05,335	44,58,208				
Miscellaneous - - - - -	1,69,905	1,88,613	1,99,896	3,50,000				
SUPPLIES from 'PRINCE of WALES' ISLAND - - - - -					47,58,145	54,67,060	77,78,804	83,20,208
	2,85,330	6,67,023	4,46,941	4,14,130				
	50,43,475	61,34,083	82,25,745	87,34,338				
AGRA.								
Bills drawn - - - - -	1,83,468	80,815	2,44,660	2,00,000				
Advances and Disbursements on account of Madras - - - - -	1,10,352	45,488	4,26,383	3,92,000				
Miscellaneous - - - - -	28,617	13,411	12,206	18,000				
TOTAL SUPPLIES from the other PRESIDENCIES - - -					71,30,790	1,04,74,318	1,17,60,003	1,24,29,368
BOMBAY:								
Treasure - - - - -	5,50,867	-	-	-				
Bills drawn - - - - -	92,978	1,01,177	1,41,645	-				
Stores - - - - -	12,168	8,79,468	40,926	-				
Advances and Disbursements on account of Madras - - - - -	7,96,616	31,89,147	26,48,731	29,01,030				
Miscellaneous - - - - -	3,62,249	30,729	19,707	1,84,000				
TOTAL SUPPLIES from the other PRESIDENCIES - - -					18,14,878	42,00,521	28,51,009	30,85,030
TOTAL SUPPLIES from the other PRESIDENCIES - - -					71,30,790	1,04,74,318	1,17,60,003	1,24,29,368
GRAND TOTAL - - - Rupees					4,62,24,627	4,75,51,401	4,71,77,378	4,74,48,323

PRESIDENCY, for Three Years, according to the latest Advices, for the succeeding Year.

					1838/39.	1839/40.	1840/41.	Estimate, 1841/42.
					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
PAYMENTS:								
Deficit of Revenue, as shown in Account No. 5						4,88,491		
DEBT DISCHARGED:								
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.				
Promissory Notes	561	-	2,23,696	17,800				
Bills outstanding	46,839	71,712	3,81,328	-				
Payments on account of Civil and Military Funds	17,11,494	18,46,186	26,08,426	22,27,300				
Miscellaneous Deposits	82,09,747	65,93,510	86,97,787	54,60,740				
Government Bank	61,541	1,11,562	1,27,664	84,000				
Floating Balance	330	-	-	-				
TOTAL DEBT discharged					70,30,512	86,22,970	90,38,901	77,89,840
Advances repayable, including Tuccavee Advances					15,30,521	11,02,851	7,23,987	10,07,830
SUPPLIES TO LONDON:								
Bills drawn by the Court discharged	15,44,495	5,70,842	6,90,023	12,00,000				
Bills drawn on the Court for Principal of India Debt cancelled	67,771	-	-	-				
Miscellaneous (including net Gain by Exchange Operations with reference to the fixed rate of 2/ p' Sicca Rupee)	2,36,511	1,59,971	1,59,568	2,85,810				
Supplies to Her Majesty's Government	2,01,945	3,60,702	2,63,002	10,15,400				
Advances made upon Security of Goods, repayable by Bills drawn in favour of the Court	1,60,292	1,23,118	54,270	1,30,000				
TOTAL SUPPLIES TO LONDON					22,11,014	12,14,633	11,66,860	26,31,210
SUPPLIES to the other PRESIDENCIES:								
BENGAL:								
Treasure	24,59,552	45,13,487	63,00,616	45,00,000				
Bills paid	2,14,147	2,61,541	1,48,322	2,60,730				
Stores	90,519	27,825	2,68,734	-				
Indian Loans discharged	84,986	27,307	2,00,000	11,75,300				
Interest on India Debt	21,28,464	18,94,352	19,18,913	22,10,000				
Advances and Disbursements on account of Bengal	10,91,265	11,81,182	12,85,951	9,68,090				
Miscellaneous	40,442	12,326	-	6,20,000				
SUPPLIES TO PRINCE OF WALES' ISLAND:								
	60,59,375	79,18,020	1,01,23,536	97,34,120				
	89,682	2,27,827	2,36,754	80,000				
	61,49,057	81,45,847	1,03,59,290	98,14,120				
AGRA:								
Bills paid	200	314	-	-				
Miscellaneous	-	-	-	250				
	200	314	-	250				
BOMBAY:								
Treasure	31,42,729	53,87,341	28,16,016	15,00,000				
Bills paid	8,43,964	8,45,500	6,69,037	5,00,000				
Stores	19,233	69,467	2,46,690	-				
Advances and Disbursements on account of Bombay	3,77,322	3,23,652	3,61,189	41,88,900				
Miscellaneous	1,454	13,050	-	5,50,000				
	43,84,702	66,39,010	40,92,932	67,38,900				
TOTAL SUPPLIES to the other Presidencies					1,05,33,959	1,47,85,171	1,44,52,222	1,65,53,270
TOTAL					2,13,06,006	2,62,09,116	2,53,81,970	2,79,82,150
CASH BALANCES in the several Treasuries on 30th April.					2,49,18,621	2,18,42,285	2,17,95,408	1,94,66,173
GRAND TOTAL - Rupees					4,62,24,627	4,75,81,401	4,71,77,378	4,74,48,323

No. 7.—AN ACCOUNT of the REVENUES and CHARGES of the BOMBAY

					1838/39.	1839/40.	1840/41.	1841/42.
REVENUES:					<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>
Mint Duties - - - - -					3,56,527	4,08,240	2,99,453	3,37,964
Post-office Collections - - - - -					1,94,586	1,77,506	1,78,051	1,88,765
Stamp Duties - - - - -					4,38,521	4,91,441	4,85,171	5,08,030
Miscellaneous Civil Receipts, including net Gain by Exchange Operations between India and England - - - - -					55,551	1,01,645	53,409	1,93,123
Judicial Fees and Fines - - - - -					73,674	75,215	95,512	82,472
Land Revenue - - - - -					1,43,94,191	1,70,02,676	1,78,85,465	1,81,44,437
Sayer - - - - -					13,04,865	14,65,970	13,79,633	13,45,383
Customs, Sea and Inland - - - - -					28,16,276	23,56,013	33,23,819	32,18,079
Receipts from Salt - - - - -					12,57,719	13,96,933	15,90,854	15,01,731
Sale of Opium Passes and Opium - - - - -					27,48,565	1,96,811	23,26,399	22,24,727
Marine and Dock Dues - - - - -					1,81,579	1,92,574	2,11,220	1,97,600
Subsidy from the Cutch Government - - - - -					62,702	1,98,268	2,50,000	93,475
TOTAL GROSS REVENUES - - -					2,38,74,756	2,40,63,292	2,30,78,986	2,30,40,806
Deduct,	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>				
Allowances and Assignments payable out of the Revenues, in accordance with Treaties or other Engagements, including those of the <i>Ex-Pashwa</i> and his Minister - - - - -	19,49,821	16,75,979	17,02,071	17,22,917				
Allowances to Village Officers and <i>Enamdars</i> - - - - -	30,51,243	33,49,771	33,35,257	40,11,841				
					50,01,064	50,25,750	50,37,328	57,34,758
CHARGES of collecting the REVENUES.								
Charges of collecting the Stamp Duties	34,100	32,574	34,510	34,292				
Ditto - Land and Sayer Revenues - - - - -	30,34,042	29,17,732	29,32,448	29,72,525				
Ditto - Customs - - - - -	3,67,984	4,66,230	3,64,286	3,88,203				
Ditto - Opium Receipts - - - - -	2,05,247	79,797	79,947	75,738				
Cost and Charges of Salt - - - - -	1,00,041	1,24,724	1,32,636	1,59,130				
					37,43,414	36,21,057	35,43,827	35,99,948
TOTAL NET REVENUES, after Payment of Allowances and Assignments, and Charges of Collection - - -					1,51,30,278	1,54,16,485	1,94,97,831	1,86,76,109
BOMBAY DEFICIT - - -					55,70,832	68,04,547	14,76,885	26,04,675
Rupees					2,07,01,110	2,22,21,032	2,09,74,716	2,12,80,775

* This amount includes 21,61,209 rupees, the balance at the debit of Warden's Official Fund, written off as a charge

PRESIDENCY, for Four Years, according to the latest Advices.

					1838/39.	1839/40.	1840/41.	1841/42.
					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
CHARGES.								
CIVIL and POLITICAL:								
Mint Charges	-	-	-	-	2,03,972	1,92,524	2,09,612	1,66,076
Post-office ditto	-	-	-	-	2,39,348	2,78,379	2,94,991	3,12,433
Charges of Civil and Political Establishments, including Contingent Charges	-	-	-	-	32,91,844	*57,75,682	36,05,310	33,51,617
TOTAL CIVIL and POLITICAL CHARGES					37,35,164	62,46,585	41,09,913	38,50,126
JUDICIAL and POLICE:								
Charges of the Queen's Supreme Court, and the other Local Courts within its Jurisdiction	-	-	-	-	4,18,632	4,33,487	4,54,210	4,41,227
Ditto of the Sudder and Zillah Courts	-	-	-	-	19,74,296	20,97,592	20,03,949	19,68,547
TOTAL JUDICIAL and POLICE CHARGES					23,92,928	25,31,079	24,58,159	24,09,774
Indian Navy and Marine Charges	-	-	-	-	16,13,514	14,87,144	17,37,373	14,71,503
Buildings, Roads and other Public Works, exclusive of Repairs (Civil)	-	-	-	-	1,70,878	2,32,658	4,46,333	5,41,543
Military Charges	-	-	-	-	1,22,81,100	1,12,22,881	1,15,05,513	1,22,87,421
Ditto - Dead Stock	-	-	-	-	3,086	66,344	1,19,017	94,622
					1,23,54,186	1,12,89,225	1,16,24,630	1,23,62,043
TOTAL CHARGES, exclusive of Interest on Debt					2,02,66,670	2,17,86,691	2,03,76,408	2,06,54,989
Interest on Debt	-	-	-	-	4,34,440	4,34,341	5,98,308	6,25,786
TOTAL CHARGES - Rupees					2,07,01,110	2,22,21,032	2,09,74,716	2,12,80,775

to the Company, agreeably to a Financial Despatch from the Court of Directors, dated the 28th August 1839.

No. 8.—AN ACCOUNT of the CASH TRANSACTIONS of the BOMBAY

					1838/39.	1839/40.	1840/41.	1841/42.
RECEIPTS:					<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>
Cash Balances in the several Treasuries of this Presidency, 30th April - - - -					2,67,71,894	1,83,95,421	2,31,37,325	1,89,52,131
DEBT INCURRED:								
	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>	<i>Co.'s Rs.</i>				
Temporary Loans from Bank of Bombay - - - -	-	-	50,00,000	-				
Received on account of Civil and Military Funds - - - -	15,15,921	35,03,324	14,12,701	15,81,587				
Treasury Notes - - - -	-	-	11,54,900	-				
Miscellaneous Deposits - - - -	4,43,713	59,71,680	6,49,085	5,93,615				
TOTAL DEBT incurred - - -					19,59,634	94,75,004	82,16,686	21,75,202
Advances made by Government repaid, including Taccavee Advances - - - -					70,10,142	1,49,12,297	1,04,76,910	81,24,814
SUPPLIES from LONDON:								
Bills on the Court for Interest of India Debt - - - -	1,56,924	1,47,389	1,33,035	1,21,310				
Bills on the Court for Principal of India Debt - - - -	-	53,250	-	-				
Other Bills on the Court - - - -	11,488	15,312	12,642	7,119				
Advances in England repaid - - - -	6,84,806	7,89,871	8,43,011	8,38,187				
Miscellaneous, including Credits to Her Majesty's Government - - - -	4,17,153	1,01,380	1,23,090	1,09,313				
Invoice Value of Copper for Coinage - - - -	1,32,102	1,19,014	4,18,629	-				
TOTAL SUPPLIES from LONDON - - -					14,02,473	11,76,216	15,30,407	10,75,929
SUPPLIES from the other PRESIDENCIES:								
BENGAL:								
Treasure - - - -	-	-	-	30,06,668				
Bills drawn - - - -	1,62,497	31,29,053	66,06,078	38,32,693				
Stores - - - -	88,621	1,37,164	1,24,345	89,578				
Subscriptions received to Indian Loans - - - -	30,32,678	1,65,800	16,63,510	63,60,380				
Advances and Disbursements on account of Bombay - - - -	4,05,673	25,14,419	16,13,779	98,63,835				
Miscellaneous - - - -	22,615	1,11,029	18,736	-				
SUPPLIES from the Eastern Settlements								
	37,12,084	60,57,465	1,00,26,448	2,31,53,154				
	16,187	18,649	21,811	23,275				
	37,28,271	60,76,114	1,00,47,759	2,31,76,429				
AGRA:								
Treasure - - - -	-	-	-	23,00,004				
Bills drawn - - - -	12,812	5,100	7,500	5,000				
Advances and Disbursements on account of Bombay - - - -	9,91,050	7,77,361	9,52,494	10,12,607				
	10,03,862	7,82,461	9,59,994	33,17,611				
MADRAS:								
Treasure - - - -	39,50,505	55,97,316	41,07,886	42,17,542				
Bills drawn - - - -	1,423	-	-	-				
Stores - - - -	19,415	9,072	2,27,816	72,617				
Advances and Disbursements on account of Bombay - - - -	2,18,877	4,48,366	3,72,565	5,66,891				
Miscellaneous - - - -	3,022	51,118	-	-				
	41,93,242	61,05,872	47,08,267	48,57,050				
TOTAL SUPPLIES from the other PRESIDENCIES - - -					89,25,375	1,29,64,447	1,57,16,020	3,13,51,090
GRAND TOTAL - - - Rupees					4,60,69,518	5,69,23,385	5,90,77,348	6,16,79,166

PRESIDENCY, for Four Years, according to the latest Advices.

					1838/39.	1839/40.	1840/41.	1841/42.
					Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.
PAYMENTS:								
Deficit of Revenue, as shown in Account No. 7. - - - - -					55,70,832	68,04,847	14,76,885	26,04,675
DEBT DISCHARGED.								
	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.	Co.'s Rs.				
Treasury Notes - - - - -	2,000	200	5,85,200	4,81,700				
Temporary Loan from Bank of Bombay - - - - -	-	-	10,01,000	39,98,000				
Payments on account of Civil and Military Funds - - - - -	11,60,016	8,86,658	10,32,359	10,43,447				
Miscellaneous Deposits - - - - -	16,83,155	7,11,679	48,43,248	10,56,973				
TOTAL DEBT discharged - - -					28,46,171	15,98,537	74,61,807	65,80,120
Advances repayable, including Tuccavee Advances - - - - -					1,23,57,131	94,73,268	83,63,367	1,26,57,750
SUPPLIES TO LONDON:								
Bills drawn by the Court discharged -	2,77,920	2,95,055	6,74,887	14,22,967				
Advances made upon Security of Goods, repayable by Bills drawn in favour of the Court - - - - -	2,51,903	1,47,376	1,11,833	12,76,919				
Miscellaneous, including Debits to Her Majesty's Government, and net Gain by Exchange Operations with reference to the fixed rate of 2s. per Sicca Rupee - - - - -	2,66,921	1,69,078	2,64,800	4,60,830				
TOTAL SUPPLIES TO LONDON - - -					7,96,744	6,11,509	10,51,520	31,60,716
SUPPLIES to the other PRESIDENCIES:								
BENGAL:								
Treasure - - - - -	-	12,32,998	46,51,318	-				
Bills paid - - - - -	48,234	8,09,065	21,96,431	21,98,297				
Stores - - - - -	5,182	22,421	5,05,173	1,937				
Indian Loans discharged - - - - -	78,645	53,250	14,910	28,980				
Interest of India Debt - - - - -	8,03,322	7,53,757	9,54,770	10,43,297				
Advances and Disbursements on account of Bengal - - - - -	34,32,519	97,24,466	96,36,305	1,71,09,605				
Miscellaneous - - - - -	5,279	3,796	20,169	-				
					43,73,181	1,25,99,753	1,79,79,076	2,03,82,116
AGRA:								
Advances and Disbursements on account of Agra - - - - -	16,814	2,892	2,198	4,12,753				
MADRAS:								
Treasure - - - - -	5,50,867	-	-	-				
Bills paid - - - - -	23,869	27,928	45,652	38,381				
Stores - - - - -	14,719	-	6,46,634	-				
Advances and Disbursements on account of Madras - - - - -	11,25,870	26,60,827	30,98,078	29,38,694				
Miscellaneous - - - - -	-	6,799	-	-				
					17,14,224	26,95,554	37,90,364	29,77,075
TOTAL SUPPLIES to the other PRESIDENCIES - - -					61,04,219	1,52,98,199	2,17,71,638	2,37,71,944
CASH BALANCE in the several Treasuries, 30th April - - -					1,83,95,421	2,31,37,325	1,89,52,131	1,29,03,961
GRAND TOTAL - - - Rupees					4,60,69,518	5,69,23,385	5,90,77,348	6,16,79,166

No. 9.—A STATEMENT of the CHARGES defrayed in ENGLAND on Account of the INDIAN TERRITORY, in the Years comprised in the preceding Accounts.

	1838/39.	1839/40.	1840/41.	1841/42.
	£.	£.	£.	£.
Dividends to Proprietors of East India Stock - - - - - }	632,559	626,477	631,645	632,545
Interest on the Home Bond Debt - - - - - }	84,396	51,828	51,383	61,373
Invoice value of Stores consigned to India - - - - - }	149,346	290,677	330,278	393,083
Purchase and Equipments of Steam Vessels, including those purchased by the Secret Committee, and deducting Amount chargeable to Her Majesty's Government - - - }	187,604	192,825	83,142	93,625
Transport of Troops and Stores, deducting Freight charged in Invoices - - }	23,124	48,123	62,632	47,273
Furlough and Retired Pay to Military and Marine Officers, including Off- reckonings - - - - - }	520,907	488,701	502,053	535,608
Payments on account of Her Majesty's Troops serving in India - - - }	406,201	220,000	300,000	400,000
Retiring Pay to Her Majesty's Troops, (Act 4 Geo. 4, c. 71) - - - }	60,000	60,000	60,000	60,000
Charges General, deducting Charges of Establishments put upon outward Invoices, and Interest realized on Investment of Cash Balances - }	473,225	521,111	531,581	533,697
Absentee Allowance to Civil Servants of the Indian Establishments - }	43,344	45,644	44,437	44,240
Expense of Tanjore Commission - - - - - }	7,499	4,702	1,831	269
Retired Pay and Pensions of Persons of the late St. Helena Establishment, not chargeable to the Crown - }	10,260	19,166	11,678	10,733
Her Majesty's Mission to the Court of Persia (portion paid by the Company) - - - - - }	12,000	4,570	11,000	17,557 Including an Arrear.
Her Majesty's Establishment in China (portion paid by the Company) - }	-	5,142	4,116	4,783
Grant to the Estate of the late Mr. Fraser, late Commissioner and Agent at Delhi - - - - - }	5,000	-	-	-
£.	2,615,465	2,578,966	2,625,776	2,834,786

No. 10.—GENERAL ABSTRACT VIEW of the REVENUES and CHARGES of INDIA, for the Years comprised in the preceding Accounts, including the Charges disbursed in this Country.

	1838/39.	1839/40.	1840/41.	1841/42, partly Estimated.		1838/39.	1839/40.	1840/41.	1841/42, partly Estimated.
	Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.		Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.
REVENUES:					CHARGES:				
BENGAL (See Account, No. 1) - - -	7,00,09,469	6,32,60,118	6,63,41,585	7,05,33,295	BENGAL (See Account, No. 1) - - -	7,74,57,289	8,21,63,925	8,73,40,152	9,64,08,457
AGRA - (ditto, No. 3) - - -	4,06,61,737	3,87,28,622	3,75,64,979	4,17,38,050	AGRA - (ditto, No. 3) - - -	86,29,471	78,38,592	80,52,904	82,39,900
MADRAS (ditto, No. 5) - - -	3,76,93,899	3,77,16,000	3,80,08,989	3,83,97,258	MADRAS (ditto, No. 5) - - -	3,28,81,619	3,82,01,650	3,57,55,468	3,66,19,125
BOMBAY (ditto, No. 7) - - -	1,51,30,278	1,54,16,485	1,94,97,831	1,86,76,100	BOMBAY (ditto, No. 7) - - -	2,07,01,110	2,22,21,032	2,09,74,716	2,12,80,775
TOTAL ORDINARY REVENUES, Com- pany's Rupees - - -	16,34,95,388	15,51,21,225	16,14,13,384	16,93,44,703	TOTAL ORDINARY CHARGES OF INDIA, Company's Rupees - - -	13,96,69,489	15,04,25,199	15,21,23,240	16,25,48,257
At 2s. per Sicca Rupee - - £.	15,327,692	14,542,615	15,132,505	15,876,066	At 2s. per Sicca Rupee - - £.	13,094,014	14,102,362	14,261,554	15,238,899
EXTRAORDINARY RECEIPTS:					EXTRAORDINARY CHARGES:				
BENGAL (See Account, No. 1) - - -	1,73,372	68,750	15,162	39,918	BENGAL (See Account, No. 1) - - -	4,412	17,000	-	-
MADRAS (ditto, No. 5) - - -	485	2,159	1,117	600	Company's Rupees - - -	4,412	17,000	-	-
Company's Rupees - - -	1,73,857	70,909	14,045	39,318	At 2s. per Sicca Rupee - - £.	413	1,594	-	-
At 2s. per Sicca Rupee - - £.	16,299	6,647	1,317	3,686	TOTAL ORDINARY AND EXTRA- ORDINARY CHARGES - - - £.	13,094,427	14,103,956	14,261,554	15,238,899
TOTAL ORDINARY and EXTRA- ORDINARY REVENUES AND RECEIPTS - - - £.	15,343,991	14,549,262	15,133,822	15,879,752	CHARGES disbursed in ENGLAND - (See Account, No. 9.)	2,615,465	2,578,966	2,625,776	2,834,786
EXTRAORDINARY RECEIPTS IN ENGLAND:					TOTAL CHARGES of INDIA - £.	15,709,892	16,682,922	16,887,330	18,073,685
The Amount realized in England from the Commercial Assets, after deducting cer- tain Extraordinary Charges, as exhibited in the Home Accounts laid before Parliament, defrayed directly from the produce of the Assets applicable to the service of the Govern- ment of India, per Act 3 & 4 Will. 4, c. 85	444,920	25,980	161	2,058	SURPLUS, including net Produce of the Commercial Assets of the Company, both in England and India - - - - -	79,019	-	-	-
Deficiency, after deducting net pro- duce of the Commercial Assets of the Company, both in England and India - - - - -	-	2,107,680	1,753,347	2,191,875	£.	15,788,911	16,682,922	16,887,330	18,073,685
£.	15,788,911	16,682,922	16,887,330	18,073,685					

Note.—The results here exhibited of the Revenues and Charges, for the Years 1838/39 and 1839/40, differ from those inserted in the Accounts laid before Parliament last year, in consequence of the Expenses of the Mission, and measures for the support of Schah Soojah being now included as Charge; as explained in the Account No. 2.

No. 11.—A COMBINED ACCOUNT of the CASH TRANSACTIONS of INDIA, for the Years comprised in the preceding Accounts.

	1838/39.	1839/40.	1840/41.	1841/42, partly Estimated.		1838/39.	1839/40.	1840/41.	1841/42, partly Estimated.
RECEIPTS:	Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.	PAYMENTS:	Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.
LOCAL INDIAN SURPLUS - - -	2,39,95,339	47,49,935	93,04,189	68,35,764					
DEBT incurred - - - -	6,97,69,335	6,52,25,114	10,18,02,709	13,87,79,588	DEBT discharged - - - -	5,81,25,840	5,85,11,438	8,20,75,132	12,32,36,506
ADVANCES recovered and adjusted -	1,25,58,517	2,54,59,573	2,00,69,319	1,22,84,530	ADVANCES recoverable - - -	1,95,86,909	2,33,72,268	1,58,83,999	1,60,45,729
SUPPLIES from LONDON, including Credits to Her Majesty's Govern- ment - - - - -	71,40,866	71,61,090	82,11,460	1,38,79,637	SUPPLIES to LONDON, including Debits to Her Majesty's Govern- ment - - - - -	4,10,82,631	2,37,44,395	3,11,25,847	4,57,02,422
UNADJUSTED BALANCE of SUPPLIES between the different Presidencies } - - -	-	26,44,000	-	5,01,132	UNADJUSTED BALANCE of SUPPLIES between the different Presidencies } - - -	58,52,470	-	1,56,33,455	-
CASH BALANCES in the Indian Trea- suries on 30th April, commence- ment of each year - - - - -	10,62,20,932	9,50,37,139	9,46,48,750	8,93,17,994	CASH BALANCES in the Indian Trea- suries on 30th April, close of each year - - - - -	9,50,37,139	9,46,48,750	8,93,17,994	7,66,13,988
Rupees	21,96,84,989	20,02,76,851	23,40,36,427	26,15,98,645	Rupees	21,96,84,989	20,02,76,851	23,40,36,427	26,15,98,645

No. 12.—AN ACCOUNT of the PUBLIC DEBTS, bearing Interest, outstanding at the several PRESIDENCIES in the EAST INDIES, on the 30th April 1841; also, of the Rates and Annual Amount of Interest payable thereon.

BENGAL:		DEBTS.	RATES of INTEREST.	Annual Amount of Interest.
REGISTERED DEBT:		Co.'s Rupees.	Co.'s Rupees.	Co.'s Rupees.
Loans - - - - -	-	1,04,03,793	6 per cent.	6,24,227
Ditto - - - - -	-	15,79,95,278	5 per cent.	78,99,764
Ditto - - - - -	-	12,53,26,484	4 per cent.	50,13,059
Company's Rupees -		29,37,25,555	- - -	1,35,37,050
Loan transferred from Fort Marlbro' -	-	17,047	10 per cent.	1,705
Treasury Notes - - - - -	-	1,10,77,336	{average, 4 $\frac{3}{4}$ per cent. - }	5,17,778
Civil and Medical Funds - - - - -	-	1,48,26,789	6 per cent.	8,89,608
Miscellaneous Deposits - - - - -	-	6,45,474	4 and 5 per cent.	27,655
Company's Rupees -		32,02,92,201	- - -	1,49,73,796
NORTH-WESTERN PROVINCES (late AGRA PRESIDENCY):				
Temporary Loans - - - - -	-	31,35,131	5 per cent.	1,56,756
Ditto - - - - -	-	14,000	4 per cent.	560
Miscellaneous Deposits - - - - -	-	2,00,000	4 per cent.	8,000
Company's Rupees -		33,49,131	- - -	1,65,316
MADRAS:				
Loans - - - - -	-	2,62,131	6 and 8 per cent.	18,808
Civil, Military and Medical Funds -	-	80,04,758	5 and 6 per cent.	4,42,765
Miscellaneous Deposits - - - - -	-	4,18,833	4, 5 and 6 per cent.	19,689
Company's Rupees -		86,85,722	- - -	4,81,262
BOMBAY:				
Civil Annuity and other Funds - - -	-	38,89,017	6 per cent.	2,33,341
Provident and Military Funds - - -	-	44,69,670	5 per cent.	2,23,483
Miscellaneous Deposits - - - - -	-	6,22,828	4 per cent.	24,913
Treasury Notes - - - - -	-	5,69,700	4 per cent.	22,788
Company's Rupees -		95,51,215	- - -	5,04,525
Total Company's Rupees -		34,18,78,269	- - -	1,61,24,891
At 2s. per Sicca Rupee - - £.		32,051,088	- - -	£. 1,511,799

EAST INDIA COMPANY,

HOME ACCOUNTS

OF

THE EAST INDIA COMPANY,

(Presented pursuant to the Act 3 & 4 WILL. 4, c. 85)

LIST

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- No. 6.—Allowances, Compensations, Remunerations and Superannuations granted to Officers and Servants of the East India Company, under the 93d section of the Act 53 Geo 3, c. 155, between 1st May 1843 and 1st May 1844 - - - - - p. 10
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(Errors Excepted.)

East India House, }
29 May 1844. }

JAMES C. MELVILL,
Secretary.

Ordered, by The House of Commons, to be Printed,
17 June 1844.

— No. 1. —

AN ACCOUNT of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the
East India Company, from 1st May 1843 to 30th April 1844.ON ACCOUNT OF THE REALIZATION OF THEIR COMMERCIAL ASSETS AND TRANSACTIONS
INCIDENT TO THE CLOSING OF THEIR COMMERCIAL CONCERNS.

RECEIPTS:		£.	s.	d.
Sales of Tea	- - - - -	86	3	9
Excess of payments in the current year	- - - - -	123	8	10
		£.		
		209	12	7
DISBURSEMENTS:		£.	s.	d.
Charges incurred in realizing the Assets of the Company, and for other purposes connected with the closing of the Company's commercial business:				
Freight	- - - - -	4	-	-
Warehouse charges and miscellaneous	- - - - -	205	12	7
		£.		
		209	12	7

ON ACCOUNT OF THE GOVERNMENT OF INDIA.

RECEIPTS:		£.	s.	d.
Bills from India and China, on account supplies to the public service	- - - - -	107,860	10	5
Bills drawn on India for cash received into the home treasury	- - - - -	2,801,731	-	10
Advances made in India on security of the goods of individuals, repaid	- - - - -	668,363	14	9
Bills in favour of the Company from Madras, the consideration for which will be paid at that Presidency, on the receipt of intelligence of their having been liquidated in this country	- - - - -	10,000	-	-
From Her Majesty's Government, on account expenses of steam communication with India	- - - - -	50,000	-	-
From Her Majesty's Government, on account expenses of the expedition to China	- - - - -	804,964	-	-
Poplar fund, and unclaimed prize money of seamen	- - - - -	10,312	11	-
Fee fund for the house and warehouses	- - - - -	7,311	11	9
Widow's funds for the home service	- - - - -	22,219	16	2
Balance in favour, 1st May 1843	- - - - -	4,482,763	4	11
		988,199	16	3
		£.		
		5,470,963	1	2

DISBURSEMENTS:			
	£.	s.	d.
Bills of Exchange from India			
For principal of India Debt	6,125	-	-
„ Interest of ditto	72,008	14	3
	£ 78,133	14	3
For effects of deceased officers, and other remittances	10,365	15	7
„ Interest of Tanjore claims adjudicated	1,204	4	1
			89,703 13 11
Dividends on India loan property transferred to the books in England			125,082 9 10
Advances to the civil, military and other provident funds of India, repayable there			261,435 11 3
Annuities paid in England, chargeable to the Indian civil annuity funds			174,786 2 5
Expenses attending appeals from local courts in India, recoverable in India			11,683 8 6
Family remittances, payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India			75,860 17 2
Fee fund for the house and warehouses			7,311 11 9
Widows' funds for the home service			22,884 2 5
Poplar fund, and unclaimed wages and prize money of seamen			13,477 4 3
Unclaimed prize money applicable to Lord Clive's fund, claims paid thereout			1,233 2 10
Services chargeable to Her Majesty's Government (including £. 89,236. 3s. 1d., payment of Canton donation batta)			93,923 18 2
Principal of home bond debt paid off under Court's advertisement of 15th November 1837			400 - -
Investments in the public funds in the name of the East India Company			150,000 - -
* CHARGES ON THE REVENUES OF INDIA:			
	£.	s.	d.
Dividends to proprietors of East India stock	631,591	-	1
Interest on the home bond debt	59,303	6	10
Discount on anticipated receipt of remittances and interest allowed on balances of funds in the Company's Treasury, in excess of interest realized from investment of cash balances	4,801	-	2
Military and other public stores exported and to be exported	364,987	9	10
Purchase and equipment of steam vessels, and various expenses connected with steam communication with India	78,130	14	7
Peninsular and Oriental Steam Navigation Company, in aid of the extension of steam communication with India	20,000	-	-
Transport of troops and stores	55,497	3	11
Urlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings	541,686	6	3
Retired pay and pensions of persons of the late St. Helena establishment	8,927	13	2
Paymaster-general of Her Majesty's forces, for claims accrued against the Company, in respect of Queen's troops serving in India	600,000	-	-
Payments under Act 4 Geo. 4, cap. 71, on account of retiring pay, pensions, &c. of Her Majesty's troops serving, or having served, in India	60,000	-	-
Civil establishments of India, absentee allowances and passage money	46,570	18	4
Her Majesty's mission to the court of Persia, the portion of the charge payable by the Company	12,000	-	-
Carried forward	£ 2,483,495	13	2
			1,027,782 2 6

	£.	s.	d.	£.	s.	d.
Brought forward - - -	2,483,495	13	2	1,027,782	2	6
DISBURSEMENTS—continued.						
CHARGES, GENERAL, comprising—						
	£.	s.	d.			
Board of Commissioners for the Affairs of India, salaries of the President and officers of the Board, including superannuation allowances granted by Warrant of the Crown, under Act 53 Geo. 3, c. 155, s. 91 - - -	28,564	18	5			
Salaries of the Court of Directors - - -	7,578	12	7			
Contingent expenses of the Courts of Directors and Proprietors, consisting of repairs to the East India House, taxes, rates and tithes, coals, candles, printing, stationery, book-binding, stamps, postage, and various petty charges - - -	31,210	5	11			
Salaries and allowances of the secretaries and officers of the Court of Directors - - -	89,091	6	1			
Annuity and pensioners, including compensation annuities under Act 3 & 4 Will 4, c. 85 - - -	229,761	17	5			
Haileybury College, net charge - - -	7,956	14	8			
Military Seminary at Addiscombe, net charge - - -	2,434	19	9			
	£.	s.	d.			
Recruiting charges: pay of officers, non-commissioned officers of recruiting establishments, and of recruits previous to embarkation, bounty, &c. - - -	26,754	4	4			
Repairs, alterations and additions to barracks at Warley 18,022 6 -				44,776	10	4
Passage and outfit of Chaplains, Company's officers in charge of recruits, &c., officers of Her Majesty's Service proceeding to join their regiments, volunteers for the pilot service, &c. - - -	16,995	7	3			
Charges of the store department, articles for use in inspection of stores, labour, &c. - - -	6,591	8	2			
Lord Clive's fund, net charge for pensions, &c. - - -	59,162	8	-			
Law charges - - -	3,352	13	1			
Commission to agents at the out-ports, on realization of remittances - - -	195	13	-			
Maintenance of lunatics - - -	5,991	13	3			
Miscellaneous; consisting of expense of overland and ships' packets, maintenance of natives of India, donations to Bengal civil fund and to widows' funds for the home service, donations for services and relief, &c. - - -	10,868	18	2			
Disbursements under orders of the Secret Committee of the Court of Directors - - -	500	-	-	545,033	6	1
EXTRAORDINARY:						
Compensations under Act 3 & 4 Will. 4, c. 85:—Payments by way of gratuity and commutation of annuities granted under that Act - - -	6,736	17	5			
Excess of payments, as before shown in respect of the commercial assets - - -	123	8	10	6,860	6	3
				3,035,389	5	6
	£.			4,063,171	8	-
Balance in favour, 30 April 1844 - - -				1,407,791	13	2
	£.			5,470,963	1	2

—No. 2.—

ESTIMATE of the RECEIPTS and DISBURSEMENTS of the HOME TREASURY of the *East India Company*, from 1st May 1844 to 30th April 1845.

RECEIPTS :		£.
Remittances from India through Her Majesty's Government, on account of ordinary supplies to Her Majesty's Service - - - - -		100,000
Ditto - - - in all other modes - - - - -		3,400,000
To be received from Her Majesty's Government in respect of steam communication with India - - - - -		50,000
Interest to be realized from investment of cash balances - - - - -		6,000
		3,556,000
Balance of Cash, 1 May 1844 - - - - -		1,407,791
	£.	4,963,791
DISBURSEMENTS :		
Bills of Exchange from India - - - - -		100,000
Dividends on India loan property transferred to the books in England - - - - -		129,300
Advances to be made in England to the civil, military and other provident funds of India, repayable there - - - - -		250,000
India annuity funds ; civil service annuities, payable in England - - - - -		192,000
Expenses attending appeals from local courts in India, recoverable in India - - - - -		26,000
Family remittances, payments chargeable against prize funds, and balance of miscellaneous receipts and disbursements on account of India - - - - -		41,900
Poplar fund : excess of the charge thereon above the current income, causing a diminution of the capital to the same extent - - - - -		4,660
CHARGES ON THE REVENUES OF INDIA		£
Dividends to Proprietors of East India stock - - - - -	630,000	
Interest on the home bond debt - - - - -	57,087	
Military and other public stores, exported and to be exported - - - - -	438,981	
Purchase and equipment of steam-vessels, and various expenses connected with the steam communication with India - - - - -	210,860	
Peninsular and Oriental Steam Navigation Company, in aid of the extension of steam communication with India - - - - -	20,000	
Transport of troops and stores - - - - -	48,500	
Furlough and retired pay to military and marine officers of the Indian establishments, including off-reckonings - - - - -	549,400	
Retired pay and pensions of persons of the late St. Helena establishment	9,100	
Paymaster-general of Her Majesty's forces, for claims accrued against the Company in respect of Queen's troops serving in India - - - - -	300,000	
Payments under Act 4 Geo. 4, c. 71, on account of retiring pay, pensions, &c., of Her Majesty's troops serving or having served in India - - - - -	60,000	
Civil establishments of India, absentee allowances and passage-money - - - - -	40,000	
Her Majesty's mission to the court of Persia (portion of the charge payable by the Company) - - - - -	12,000	
Her Majesty's establishment in China (portion of the charge payable by the Company) - - - - -	4,784	
Charges general ; being for home establishments and expenses, civil, military and maritime pensions, recruiting charges, allowances for outfit, &c. - - - - -	545,000	
		2,925,713
	£.	3,669,572
EXTRAORDINARY		
Warrants passed the Court unpaid, and other arrears, on the 1st May 1844, not included above - - - - -		241,865
		3,911,437
Balance in favour, 30 April 1845 - - - - -		1,052,354
	£.	4,963,791

—No. 3.—

AN ACCOUNT of the DEBTS and CREDITS in England of the Government of India, on the
1st May 1844.

DEBTS.		£.	
Bills of exchange unpaid from India		20,966	
Dividends on stock of the five per cent. transfer loan standing in the books in England unpaid		4,656	
Warrants passed the Court unpaid, and other arrears		325,066	
Amount owing for export stores		50,336	
Unclaimed prize-money, applicable to Lord Clive's fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 50, bearing interest at five per cent. per annum)		64,217	
Poplar fund, bearing interest at four per cent. per annum	£. 219,940		
Unclaimed prize-money, applicable to Poplar fund (Act 1 & 2 Geo. 4, c. 61, and 9 Geo. 4, c. 50), bearing interest at four per cent. per annum	34,709		
		254,649	
Her Majesty's Government, due per estimate on account charges of Queen's troops serving in India, after taking credit for sums due from Government to the Company		450,967	
Dividends on the capital stock unclaimed		36,428	
Interest on bonds unclaimed, including growing interest		17,827	
Home bond debt, charged upon the revenues of India by 9th sec. 3 & 4 Will. 4, c. 85:			
Principal bearing interest at £. 3 10 per cent. per annum	£. 1,734,300		
Principal not bearing interest	21,792		
		1,756,092	
			2,981,294
Balance of outstanding debts and liabilities of the late Commercial branch			7,340
			£. 2,988,544
CREDITS.			
The cash balance on 1st May 1844		1,407,791	
Stock and annuities in the public funds, standing in the Company's name, valued at the market prices on 30th April 1844		899,391	
Military and other public stores remaining in England unshipped, 1st May 1844		126,421	
Bills of exchange drawn in the Company's favour, unpaid		76,719	
Owing from sundry persons for advances, repayable in England		19,179	
Balances in the hands of officers of the home establishment, of sums advanced to pay charges		132	
Computed value of buildings and land; viz.			
The East India House	£. 268,200		
The East India College at Haileybury, and Military Seminary at Addiscombe	177,219		
Warley Barracks, near Brentwood, Essex	20,000		
The warehouses and premises in Leadenhall-street, and in New-street, Bishopsgate (store departments)	19,000		
		484,419	
			£. 3,014,052
Brought down amount of Assets			£. 3,014,052
Debts			2,988,544
Balance in favour			£. 25,508

The above, on the one hand, is exclusive of the amount owing to proprietors for their capital stock, and, on the other hand, of the guarantee or security fund, formed under the provisions of the Act 3 & 4 Will. 4, c. 85

— No. 4. —

A LIST of the several ESTABLISHMENTS of the *East India Company* in *England*, and the SALARIES and ALLOWANCES payable by the Court of Directors in respect thereof, on the 1st May 1844. (Act 3 & 4 Will 4, c. 85, s. 116.)

	Number.	Salaries and Allowances.	
		£	s. d.
Secretary's office: consisting of a secretary, deputy secretary; five assistants in the respective branches of minuting and correspondence, accounts, pay, audit and marine; thirty-four clerks; one clerk in charge of the proprietor's room; one superintendent of extra clerks; a conductor of the correspondence relating to the vegetable productions of India; fourteen extra clerks; eighteen writers, one assistant elder; and sixteen messengers -	93	44,560	- -
Examiner's office: consisting of an examiner of India correspondence; an assistant examiner; two assistants to the examiner, two clerks in the correspondence department, three senior clerks, nine clerks, one superintendent of extra clerks, one registrar of India books and records, three extra clerks, sixteen writers and nine messengers -	48	21,738	- -
Office of the secretary in the military department: consisting of a secretary, an assistant secretary, seven clerks, six extra clerks, four writers and four messengers -	23	11,068	- -
Library and museum: the librarian (who is also Oriental examiner at the East India College and at the military seminary), the keeper of the museum, an extra writer and two messengers -	5	1,291	- -
Clerk of the works and one messenger -	2	476	- -
Storekeeper's department: consisting of an inspector of stores, one clerk, one sub-inspector, two examiners of cloth, nine examiners and two assistant examiners of military stores; one book-keeper, one examiner of stationery, one extra clerk, four writers, a carpenter and one messenger -	25	6,199	- -
Standing counsel -	1	500	- -
Solicitor -	1	500	- -
Examining physician -	1	470	- -
Examiner of veterinary instruments -	1	100	- -
Geographer -	1	200	- -
Chaplain to Poplar hospital -	1	100	- -
Doorkeepers and court-room messengers -	5	3,270	- -
Door-porters, messengers and fire-lighters -	25	2,200	- -
Fireman -	1	100	- -
Waterman -	1	70	- -
Housekeeper and assistant -	2	180	- -
Charwomen -	8	300	- -
East India College: the principal, eight professors, and forty-three public servants -	52	6,840	- -
Military Seminary: the public examiner and inspector, lieutenant-governor, twenty professors, assistant professors, masters, staff and other officers, and thirty-five non-commissioned staff and public servants -	57	9,350	- -
Military depôt at Warley: comprising seven officers and twenty-six non-commissioned staff -	33	4,284	- -
Recruiting districts: five officers and thirty-one non-commissioned staff -	36	3,148	- -
TOTAL Number of Persons -	422	114,944	- -

— No. 5. —

AN ACCOUNT of New or Increased SALARIES, ESTABLISHMENTS OF PENSIONS, payable in Great Britain, granted or created between 1st May 1843 and 1st May 1844.

SALARIES.		£.	s.	d.
The rector of Warley, for the discharge of all the clerical and ecclesiastical duties of the depôt for Company's troops		63	-	-
The Roman Catholic clergyman at Brentwood, for affording spiritual consolation to the recruits of that persuasion sick in hospital at the Company's depôt at Warley		20	-	-
Ordnance Surgeon at Chatham, for trouble and responsibility which devolve upon him in consequence of an arrangement made with the Board of Ordnance in May, by which the Company's engineer officers, sappers and miners under instruction at the Royal Engineer Establishment at Chatham, were placed under his charge		40	-	-
Barrack Master at the Company's depôt at Warley, for discharging the duties of that office		36	5	-
Increase of salary to Mr. William Thomas Hooper, clerk in the College Department of the Secretary's office		98	-	-
Ditto - - Mr. Francis William Prideaux, one of the assistants to the examiner of India correspondence		96	-	-
Ditto - - Mr. Thomas R. Clarke, clerk in the military department		164	-	-
	£.	517	5	-
ESTABLISHMENT:				
An additional established clerk in the office of the examiner of India correspondence		80	-	-
PENSIONS:				
Mrs. Harriet Oakes, widow of Mr. Henry Robert Oakes, formerly of the Madras Civil Service, with reference to the strong desire on the part of the Court to restore him to the service, and to the circumstance of the pension of 200 <i>l.</i> per annum having been granted to him in compassion for his destitute condition resulting from his removal from the service; adverting also to the entirely unprovided state of his widow and seven children, who, but for his dismissal, would be entitled to liberal provision from the civil fund, granted a pension of per annum		100	-	-
Miss Mary Wissett, daughter of Mr. John Wissett, formerly an elder in the Company's warehouses, who died previously to the institution of the funds for the relief of widows and children of deceased officers, granted on a compassionate consideration of her case, to continue until marriage		20	-	-
Captain John Edward Lang, of the Bombay Invalid Establishment, in addition to his pay on retirement under the regulations, in consideration of his lamentable state of health occasioned by paralysis, resulting from exposure when on the line of March		50	-	-
Captain Frederick Skene Courtenay Chalmers, of the Madras army, who was employed from March 1833 to the date of his departure to Europe in 1841, under the commissioner in Mysore, first as secretary to the commissioner, and afterwards as superintendent of the Ashtagan division, granted in addition to his pay on retirement under the regulations, in consideration of an injury to his sight, occasioned by exertions in the performance of his official duties		58	7	6
Mr. Anthony Whittingham, of the Madras Civil Establishment, in consideration of his inability to return to the service in consequence of mental and bodily health, and the early age at which he is compelled to relinquish his profession		100	-	-
Abee, a Chinese labourer, formerly employed by the Company at St. Helena, in consideration of a severe and permanent injury received in the execution of his duty, from which he is still suffering; and the strong testimony borne to his character and fidelity in the service; granted a pension of sixpence a day		9	3	6

PENSIONS—continued.		£. s. d.
Mrs. Anne Skinner, mother of Captain James Skinner, of the Bengal army, senior Commissariat officer at Cabool, who was killed at Jugdulluck in January 1842, whilst acting as political agent to the forces, and of Lieut.-Colonel Skinner, C. B., of Her Majesty's 31st regiment, whose death is attributable to fatigue and privations in Afghanistan; granted in consideration of the unprovided state in which she and her daughter are left by being deprived of the pecuniary support which she derived from the first-mentioned officer	100	- -
Miss Sarah Buttivant, with reference to the peculiar circumstances under which her late father Mr. James Buttivant became servant of the Company as overlooker of long ells, and believing her situation, as set forth in her memorial, to be deserving of favourable consideration; granted until marriage	50	- -
Staff Sergeant Richard Harris, of the Company's depôt, who has served for a period of 28 years and upwards, and has become unfit for his duties, granted on his discharge	36	5 -
Staff Sergeant Jonathan Squibb - - ditto - - ditto	36	5 -
Captain Edward Smith Ellis, who held the office of marine paymaster and naval storekeeper at Calcutta	200	- -
Miss Frances Swayne, in consideration of the great destitution to which she is reduced by the death of two of her brothers, from whom she derived support; namely, Major Stephen Swayne, of the 5th regiment of Bengal Native Infantry, and Captain Thomas Swayne, of Her Majesty's 44th regiment, both of whom were killed in Afghanistan, and of her infirm health; granted until marriage	25	- -
The three Misses Beatson, with reference to the very distinguished services rendered to the Company by the late Major-General Alexander Beatson, formerly of the Madras army, and subsequently Governor of St. Helena, also, to the fact of his having retired from the army some years before the institution of the Madras Military Fund, and considering the present position of his widow, consequent upon the distressing illness of one of her three unmarried daughters, and the inadequacy of her pension and other resources to meet the expenses thereby entailed; granted for each daughter a pension of 25 <i>l.</i> per annum, to continue so long as they remain single	75	- -
Mrs. Black, who is compelled by age and infirmities to relinquish her situation of nurse in the hospital at the Company's depôt, after a service of 20 years, granted 1 <i>s.</i> a day	18	5 -
Private Samuel Kitchener, of the Company's depôt at Chatham, who has served for a period of upwards of 21 years, and has become unfit for his duties, granted on his discharge	18	- -
The under-mentioned discharged soldiers who have held the rank of serjeant during the periods prescribed by the regulations; granted pensions of 1 <i>s.</i> a day each, in addition to their pensions from the Military Fund, viz		
BENGAL.		
Serjeant Wilham Brammer - - - - -	} at £. 18 5. per annum each	91 5 -
Quarter-Master Serjeant Michael Rielly - - - - -		
Serjeant-Major Wilham Oman - - - - -		
" Wilham Hutton - - - - -		
" Patrick Smith - - - - -		
MADRAS:		
Serjeant-Major Joseph Watts - - - - -	} at £. 18. 5. per annum each	91 5 -
" John Tranter - - - - -		
" Archibald Cunningham - - - - -		
" Henry Baker - - - - -		
" E. W. Wingrove - - - - -		
BOMBAY.		
Serjeant Wilham Williams - - - - -	18	5 -
Sundry small pensions to the widows and children of deceased elders, extra clerks and others of the Home Establishment, amounting to	53	18 8
	£.	1,151 3 8

— No. 6. —

ALLOWANCES, COMPENSATIONS, REMUNERATIONS and SUPERANNUATIONS granted to OFFICERS and SERVANTS of the *East India Company*, under the 93d Section of the Act 53 Geo. 3, c. 155, between 1st May 1843 and 1st May 1844

NAME	STATION	Service	Amount of Salary and allowed Emoluments.	Proportion of Income which the Court are empowered to grant.	Amount of Superannuation Allowance per Annum.
		<i>Years</i>	<i>£.</i>		<i>£.</i>
Mecrza Mohammed Ibrahim -	- - Arabic and Persian Professor at the East India College	17	700	one-half - -	350
Rev. Chas. Webb Le Bas, M A	- - Principal of the East India College.	30	1,350	two-thirds - -	900
Mr James Merton - -	- - extra clerk, Examiner's office	10 $\frac{1}{2}$	260	one-half - -	130
Abraham Draper - -	house messenger.	31	100	two-thirds - -	65
				£	1,445

(Nos. 7, 8 and 9.)

COMPENSATIONS granted between 1st May 1843 and 1st May 1844, under the Act 3 & 4 Will. 4, c. 85, s. 7.

— No. 7. —

To the WIDOWS and CHILDREN of deceased OFFICERS and SERVANTS of the *East India Company* in *England*.

To the Widows' Funds for the Home Establishment, to make up the deficiencies }
in the Income of those Funds, for the year ending the 30th April 1843 - } £. 4,718. 8. 5.

— No. 8. —

To a COMMANDER of the COMPANY'S MARITIME SERVICE, in the form of ANNUITY.

Captain John Paterson - - - Commander - - - £. 200. per annum.

— No. 9. —

To the FAMILIES of deceased OFFICERS, &c., of the COMPANY'S MARITIME SERVICE, in the form of ANNUITIES.

Mrs Amy Hood - - widow of a gunner - - £. 10. per annum during widowhood.
Eliza Ann Hood - - daughter of the above - - £. 2. per annum until 18 years old.
Amy Elizabeth Hood - - ditto - - £. 2. ditto - ditto.

(Errors excepted.)

East India House, }
29 May 1844. }

JAMES C. MELVILL,
Secretary.

EAST INDIA COMPANY:
(HOME ACCOUNTS.)

A RETURN of the HOME ACCOUNTS of the
East India Company, presented pursuant to
Act 3 & 4 WILL. 4, c. 85.

Ordered, by The House of Commons, to be Printed,
17 *July* 1844

391.

Under 2 oz.

P A P E R

RESPECTING

THE LATE HOSTILITIES

ON THE

NORTH-WESTERN FRONTIER OF INDIA.

PRESENTED TO PARLIAMENT BY COMMAND OF HER MAJESTY.

Ordered, by The House of Commons, to be Printed,
26 February 1846.

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PAPERS RESPECTING THE LATE HOSTILITIES ON THE NORTH-
WESTERN FRONTIER OF INDIA.

— No. 1. —

The GOVERNOR-GENERAL of *India* in Council to the SECRET COMMITTEE of
the EAST INDIA COMPANY.—Fort William, July 2, 1845.—(No. 54.)

(Extract.)

WE take the earliest opportunity of forwarding to you the copy of a minute by the Governor-general, dated the 16th ultimo, relative to the proposed visit of his Excellency to the Upper Provinces during the ensuing cold season. In the arguments contained in the minute, relative to the high expediency, if not necessity, for the presence of the Governor-general in the neighbourhood of our north-west frontier after the close of the rains, we unanimously and entirely concur.

Enclosure in No. 1.

MINUTE by the GOVERNOR-GENERAL of *India*.—June 16, 1845.

(Extract.)

As the time has now arrived when preparations will require to be made for the journey of the Governor-general to the Upper Provinces, I consider it most advisable to consult my colleagues before any steps are taken to carry that intention into effect.

Under ordinary circumstances I should have desired, on public grounds, to remain the next winter and summer at Calcutta, in order to have the advantage of the experience and advice of the Council, by which course the usual business of the Government can be transacted with more unity, regularity and general satisfaction than when the Governor-general is separated from his colleagues.

On the other hand, it is clearly my duty to place myself in that position, as regards the exercise of my functions, by which I can most advantageously apply my exertions for the service of the state.

In this, as in every other case, the real question for decision is, whether it is more for the public interests that I should this autumn proceed to the Upper Provinces, or remain at the usual seat of Government.

Between my colleagues and myself there has always existed a most anxious desire, and perfect unison of opinion, that no efforts or precautions should be spared to maintain a Sikh Government in the Punjab as long as it may be possible.

To carry the pacific policy of the Government of India into effect, we have been content to suffer great inconvenience, considerable expense, and some risk, necessarily caused by the presence of a large disorganised Sikh force on the frontier, requiring, on our part, an army to be assembled for the protection of our frontier, and in close contact with that of the Sikhs, I need not enter into the consideration of the various questions of solicitude which are involved, in the proximity of a Sikh army, in a successful state of mutiny, so close upon our frontier.

We have never relinquished the hope that some amelioration may eventually take place, affording the prospect of the re-establishment of a Sikh Government, able to carry on its ordinary functions. We have never abandoned the expectation that, after anarchy and military violence have long prevailed, these disorders, having reached their maturity, might subside, worn out, and exhausted by their own virulence; or that some man of superior capacity and master mind might appear amongst them, able to control this mutinous army, and to re-construct a strong Sikh Government.

PAPERS RESPECTING THE LATE HOSTILITIES

I must confess that these hopes have not been strengthened by recent events; and now that we can, at this season, when all military operations are nearly suspended, deliberately review the political and military condition of the Punjab, I can arrive at no other conclusion than that the state of our relations with that country has become more critical than it has been at any time since Rajah Heera Sing's death.

When the finances of the state shall be found to be insufficient to pay the troops, a state of things may arise at any moment requiring the instant decision of the highest authority on the spot.

The instructions which we may send from Calcutta may be very proper, and applicable to the state of things which may have happened on the frontier ten days before, when the report was made; and may, when the instructions are received, twenty days after the event, be totally inapplicable.

In ordinary transactions this is an inconvenience, but in the state of the Punjab it is positively dangerous.

I have a firm conviction that the chances of preserving peace will be diminished by the powerless state in which the Government would be placed, by not being able to act with decision and promptitude, and that opportunities would be lost of effecting some good, and of preventing much mischief, if in the state of the Punjab the responsible authority of the Government remains more than 1,000 miles off, at the other extremity of Bengal; it appears to me, therefore, to be expedient, as a means of averting risk, and of carrying our policy more securely into effect, that the Governor-general should, in the month of October next, proceed to the Upper Provinces, and that the authority should be entrusted to him with which the law enables the Council to invest him, when separated from his colleagues.

Having given my decided opinion that, under existing circumstances, it will be the duty of the Governor-general to proceed to the Upper Provinces in the autumn, I have to request the attention of my colleagues to this subject, at their earliest convenience.

H. Hardinge.

I concur, *T. H. Maddock.*

I concur, *F. Millett.*

I concur, *Geo. Pollock.*

As the separation of the Governor-general from the Council requires the sanction of a law, I presume it is proper that I should record my opinion upon the proposition.

I concur, *C. H. Cameron.*

— No. 2. —

The GOVERNOR-GENERAL in Council to the SECRET COMMITTEE.—Fort William, August 7, 1845.—(No. 63.)

(Extract.)

In the midst of anarchy, conspiracies for the destruction of conflicting parties, treachery, and debauchery, there is an attempt making at improvement, in the suppression of open rebellion, and in maintaining the peace of the capital, which has not been altogether without success, and the collection of the revenue has been somewhat improved, under the management, able, though corrupt, of Dewan Deena Nath.

Military preparation is also being made with more than usual vigour; but, notwithstanding this, we can perceive nothing to lead to the expectation of a permanent and strong Government being formed.

— No. 3 —

The GOVERNOR-GENERAL in Council to the SECRET COMMITTEE.—Fort William,
September 6, 1845.—(No. 70)

(Extract)

WE would request attention to extracts from letters addressed on different dates, during the last month, by Major Broadfoot, to our Secretary

These extracts, illustrating the present deplorably profligate condition of the Lahore Durbar, cannot fail to impress upon you the almost hopeless expectation of any immediate, or permanent, improvement in the condition of a state, whose rulers abandon themselves to such open and disgusting debauchery, unredeemed by any of those statesmanlike qualities which distinguished the Government of the Maha Rajah Runjeet Sing.

We deem it to be essential for a just understanding of the actual condition of the Lahore Government that these details should be reported, they tend to show the unsatisfactory nature of that Government, and that our relations with a court thus constituted, and an army solely governed by Panchayets, must be in a very precarious state.

We are determined to maintain the pacific course of policy which we have hitherto pursued to the utmost extent of conciliation and forbearance.

Enclosure in No. 3.

EXTRACTS from LETTERS from the AGENT to the GOVERNOR-GENERAL ON the North-West Frontier to the SECRETARY to the GOVERNMENT, illustrative of the Riot and Debauchery now prevalent at the *Lahore* Durbar

LETTER, dated June 8, 1845

ON the 5th the Panchayets agreed to go in a body to the palace, and remonstrate against Jowahir Sing being continued in the Government, and to require that in his stead Deewan Deena Nath, or Bukhshee Bhugut Ram, or Rajah Lal Sing, or the three conjointly, should be appointed to the Vizeership—they did so, and great confusion followed. They had interviews with Jowahir Sing, whom they reproached with breach of faith to them, with drunkenness and incapacity;—they went to the Ranee and insisted on her seeing them herself, which she did, they demanded the dismissal of Jowahir Sing, and the substitution of Rajah Lal Sing or the others named above. The Ranee referred them to the chiefs, and it was finally settled that, next day, the 6th, Rajah Lal Sing, Deewan Deena Nath, and Bukhshee Bhugut Ram, should go to the cantonments and consult with the Panchayets. The troops demand gratuities, and the Ranee, if she did not help to get up the disturbance, is favourable to its ostensible objects, and the replacement of her brother by Rajah Lal Sing. The latter's sickness revived her tenderness for him, and he has used this skilfully, pretending he is afraid to visit her, as formerly, for fear of Jowahir Sing. This has made her the more eager to renew unrestricted intercourse, and of this eagerness the lover has availed himself before she changes, or grows cool.

LETTER, dated June 13.

A FORMAL reconciliation has been effected, by the Ranee, between Jowahir Sing and Rajah Lal Sing. She marked her satisfaction by sending each of them a handsome slave girl just received from the Munde Chief, our neighbour here. Such is Sikh morality in this matter, and taste also, for Lal Sing is one of the Ranee's own lovers.

PAPERS RESPECTING THE LATE HOSTILITIES

LETTER, dated June 14.

THE above news reached Lahore on the 11th, but Jowahir Sing and his favourites had been carousing with the new slave girl and other women all the previous night, so that he was too drunk to hold the Durbar, and the Chiefs and Mootusudjees dispersed.

LETTER, dated June 18.

JOWAHIR SING and Lal Sing were seeking on the 14th to assassinate each other—the former was the aggressor—the cause, the Ranee's increased passion for Lal Sing since he had cholera.

LETTER, dated June 20.

At the capital, Gholab Sing, Jowahir Sing and Lal Sing, are well engaged in plans to assassinate each other, any two joining for a day against the third.

A paramour of the Ranee has run away with about a lac of rupees worth of her jewels, to the public amusement or scandal, as the public is grave or merry.

LETTER, dated July 8.

At Lahore they are quiet, drinking and intriguing politically and amorously.

LETTER, dated August 1.

JOWAHIR SING has finally yielded to the troops, and the Ranee made him do so, but he was drunk at the time, and may change. On the evening of the 28th there was to be a private consultation of Jowahir Sing, Gholab Sing, Rajah Lal Sing and Deewan Deena Nath.

LETTER, dated August 5.

JOWAHIR SING is always drunk, and has gone the length lately of gross and indecent abuse in Durbar to Bhaee Ram Sing, whose religious character had hitherto prevented such an occurrence in the worst times; he quarrels also with the troops, and, indeed, with all but some low favourites, and Deewan Deena Nath, whose advice, however, as to answering my letter he spurned with reproaches of treachery. I believe he has for some months, and especially for the last two months, formed a drunken design or vision of war with us, after the Dusserah, as a resource to avert from himself the wrath of the army, as a means of finding money to pay them; and, not unskillfully, he tries to make the Sodees, who are very sacred characters, the ground of quarrel—therein he has, however, failed. It is quite impossible, however, to say what may be the issue of dealings with such a drunkard, acting on such troops.

LETTER, dated August 6.

WERE it not that the consequence of what is now doing at Lahore may be momentous, I should feel inclined half to laugh and half to be ashamed of having anything to do with it. It is essential that the Government should know the exact truth, and in setting before it the kind of people with whom it is now dealing, as with the chiefs of a state, it will be difficult to avoid details unfit for the decency of a despatch. The state of parties is seriously changed; but the cause is, the Ranee's mind having become seriously affected by her excesses. She has become

become stupid instead of clever and lively ; is sometimes for days in a state bordering on fatuity ; and though at times she revives, chiefly when stimulated by drinking, she takes but little concern in the public business, compared with what she used to do, and then is guided chiefly by her low paramours and servants. Now, the remnant of wise men left, hitherto prevented convulsion by their influence with the Ranee, especially the Fakeers and Bhace Ram Sing, but this influence is all but gone in the Ranee's present state, so much so, that Bhace Ram Sing lately sent me a caution against closing a business with the existing government, as it was certain the troops, on their return after the Dusserah, would put to death Jowahir Sing and the Ranee, with her son, he added, that they would set up Peshora Sing and Rajah Golab Sing, as king and vizier. I never even acknowledge the receipt of such communications ; but in the latest remonstrances, I have, in consequence of this, pointed out that my warnings spring from the Governor general's friendship ; and from consideration of the Maha Raja's tender years. But to proceed : on the 1st, there was no afternoon Durbar, there being a consultation of the principal personages on the English affairs, it lasted all day, but every man of note was excluded, even Deewar Deena Nath. This council consisted of Jowahir Sing, the Ranee, and three personal attendants, domestics of Jowahir Sing, men of low origin, raised by him, one an old horse-jockey, another lately a Fakeer, and a third still a palace Peon, also Jowahir Sing's *private* Moonshee. After much debate, it was agreed to consult next day the chiefs who were used to such matters ; but it was decided that the Governor-general's letter should be answered."

LETTER, dated August 6

THE evening Dawb, of the 2d is in ; Jowahir Sing, the Ranee, and Maha Raja, all drunk, with Raja Lal Sing ; held no Durbar on the 2d, the consultation all forgotten ; they went out to the Shaliman Garden. My letter arriving, my vakeel carried it to the Shaliman, and sent word it was emergent they refused to see him or it, and told him to come when they were at leisure.

LETTER, dated August 7.

THOUGH the effects of the forenoon debauch were not gone off, the contents of the letter produced a dead silence, and after a time, an answer that the letter would be deliberated on, and answered without delay. This effect was produced by the warnings given not to be misled by foolish rumours.

On the 3d, there was no very marked carousing, and much debating, so I suppose a day or two will bring some answer or other

LETTER, dated August 8.

SIRDAR JOWAHIR SINGH and his party, after abstaining nearly a day from drinking to deliberate on my letter, made an excuse of heavy rain on the 3d, to set out with his favourites and some generals on elephants, each supplied with a bottle of brandy ; they returned drunk, held no Durbar, and listened to no business, but sending for dancing girls, Jowahir Sing dressed himself as a dancing girl, and danced with the rest.

LETTER, dated August 10.

ON the 7th, the deliberations were to be renewed, if deliberations they can be called. The Ranee is passive, Jowahir Singh drunk and mad, referring to his drunken companions, who recommended the conquest of India, &c. &c., and on the other hand, the whole of the men of consideration urge on him the necessity of making matters smooth with the English.

— No. 4. —

The GOVERNOR-GENERAL to the SECRET COMMITTEE.—On the River Ganges,
off Monghyr, 30 September 1845.—(No. 2.)

(Extract.)

THE forbearance of the Government of India has been carried to an extent beyond that which has been customary. Every military precaution has, however, been taken; advice and warnings have been repeatedly conveyed to the Lahore Government in the plainest language; even the risk of giving offence by such language has been incurred, rather than fail in the essential point of clearly defining the nature of our policy, and of having that policy well understood. I am convinced that our desire to see the Maha Rajah's government re-established on a basis of independence and strength, is well known to the most-influential and leading chiefs. Their personal interests, endangered by the democratic revolution, so successfully accomplished by the Sikh army, may induce those chiefs to exert all their efforts to compel the British Government to interfere; but these attempts, and any danger resulting from them, will be attributable, not to our forbearance, but to their personal fears for life and property.

You may be assured that, whilst I shall omit no precautions, and be prepared for any event, I shall persevere in the direct course I have hitherto pursued, of endeavouring by moderation, good faith and friendly advice, to avert the necessity of British interference by force of arms in the affairs of the Punjab.

— No. 5. —

The GOVERNOR-GENERAL to the SECRET COMMITTEE —On the Ganges,
proceeding to Barr, 1 October 1845.—(No. 4.)

(Extract.)

THERE seems to be very little doubt that General Chutter Singh Attarecuala did, after much hesitation, enter into the views of the Wuzzeer Jowahir Singh, and cause the Koonwur Peshora Singh to be put to death on his way from Attock to Lahore.

The leading men at Lahore expect that this event will so greatly excite the indignation of the regular troops around Lahore, as to induce them to rise against the minister Jowahir Singh. The minister, to ward off the blow, is represented as being determined to bring about a collision with our troops on the frontier, and had given orders for three brigades of infantry to be prepared to march towards the Sutlege.

On the 12th September, it would further appear that the leading chiefs met Bhaee Ram Singh, in concert with them, and, in open Durbar, made a solemn and bold remonstrance against the course of policy pursued by Jowahir Singh in his recent relations with the British Government. In his address, he openly and fully admitted that, in the existing discussions with our Political Agent, the right to resist the Durbar's pretensions was clearly on the side of the British; that the Minister was, by his orders, violating all the customary rules by which their intercourse with the British authorities had hitherto been regulated; and that these attempts to set our authority at defiance had been met, on our part, in a spirit remarkable for its moderation and forbearance.

It is understood that the Minister agreed to retrace his steps, and that letters apologizing for the past would be immediately addressed to the Political Agent.

During the night of the 12th September, the Minister, having been engaged, according to custom, in hard drinking, first heard of Peshora Singh's disappearance and probable death, he instantly resolved to persevere in his course of precipitating collision with the British troops on the frontier.

This determination was met by renewed remonstrances, and it would appear that Bhaee Ram had caused the news of the death of Peshora Singh to be reported to the troops, and that the party adverse to Jowahir Singh were acting with boldness and energy to defeat the desperate resolution of the Minister, the latter continuing to declare that he would gratify the Sikh army by leading them against the English, rather than die the death of a dog at Lahore.

The

The impression made on my mind is, that there will be no attack or violation of our frontier by the Sikh forces. Their anger against the Minister for causing the assassination of Peshora Singh, contrary to their injunctions signified to the Minister and to the General, by sending their Panchayets to Chuttur Singh's camp for the prince's protection, will probably induce them, on that pretence, to bring about a revolution at Lahore, putting Jowahir Singh to death, and, if the proscription extends to the Regent and her son, the Maharajah Dhuleep Singh, in that case the child Shah Deo, the son of the late Maharajah Shere Singh, will be declared the sovereign of the Punjaub.

The regular force at Lahore, on the 12th September, does not amount to 15,000 men. The larger proportion of the army would not have returned from furlough until the beginning of October. Assuming that the Sikh troops are desirous of being led against the English, an assumption more than doubtful, their present state of inefficiency is too palpable to encourage them to undertake such a risk at the bidding and under the command of a minister who at this moment is an object of their hatred and contempt, and whose anti-English policy has been publicly denounced in Durbar as fatal to the State, by the most influential chiefs.

For these reasons, I do not expect any immediate rupture, at the same time, after such decisive proofs of the hostile intentions of the Maharajah's minister, it will be prudent not to relax in those precautionary measures which, in concurrence with my colleagues, I considered it expedient to adopt in the course of last spring, when the frontier stations were reinforced by European and native troops.

I shall pursue my journey to Allahabad, and thence to Agra, according to my original intention on leaving Calcutta, not deeming it expedient or necessary to accelerate it, and you may be assured that no efforts shall be wanting to repress all manifestations of hostility against the Sikhs, should any such be displayed, by patiently and firmly carrying out, to the utmost extent of forbearance, the pacific policy of the Government.

— No. 6. —

The GOVERNOR-GENERAL to the SECRET COMMITTEE — Agra, 23 October 1845
(No. 5)

(Extract.)

THE result anticipated by me in my letter of the 1st instant has taken place. The Sikh soldiery having formally called the late Minister Jowahir Sing to account for the destruction of Koonwur Peshora Sing, and for his other misdeeds, put him to death on the 21st September.

The circumstances under which the destruction of Jowahir Sing was accomplished are related in Major Broadfoot's despatch of the 26th ultimo, a paper which cannot be perused without much interest.

As I expected, the violent removal of Jowahir Sing has not led to any circumstances likely to bring about a collision with us, or to compromise the nominal Government at Lahore in its relations with the British power.

On the contrary, the disposition of the remaining chiefs appears evidently to be to maintain, as far as possible, the former relations with us, and to make atonement for the unfriendly acts of the late Jowahir Sing; while the soldiery, the openly-avowed administrators of the Government, though they talk largely of their intentions with regard to our army, show plainly, by their acts, they are fully aware that any attempt to force hostile measures upon us must be an act which would at once seal their own destruction.

The Dusserah festival has passed without carrying with it further convulsions or bloodshed.

The state of affairs, however, cannot fail to exhibit the hopelessness of our seeing a permanent government established in the Punjaub out of the elements that now exist there, capable of conducting the administration of the country, and reducing the army to a state of subordination and control.

The Ranee has been declared Regent, and at present carries on the government, if such it can be called, at the dictation of the Panchayets of the army

No Minister has yet been nominated, and it seems doubtful whether the Ranee's favourite, Raja Lall Sing, or Rajah Golab Sing, may be the next person called to that ill-omened distinction; probably the former will be the first nominated, as the very deeply-laid schemes of Golab Sing appear hardly yet ripe for his accession, though there can be little doubt that eventually he looks to acquiring full power in the Punjab, and entertains the hope, that he may be able, with better success than his nephew, Heera Sing, to reduce the army within the limits of its legitimate duties

Enclosure in No. 6.

The AGENT to the GOVERNOR-GENERAL on the North-West Frontier to the SECRETARY to the GOVERNMENT of India.

(Extract.)

Camp, Simla, 26 September 1845.

THE troops continued on the 18th and subsequent days to maintain the same attitude as before, perfect order among themselves and strict discipline towards the city and its neighbourhood. They pitched their camp at the plain of Mujan Meer, on the Ferozepore side of Lahore, where the Puchayets held their nightly meetings, and in the morning issued the orders determined on, under the designation belonging to the Sikh sect, before Runjeet Singh became a monarch, viz, the Khalsa Punth, (Khalsajée da Punth). They formally assumed the government, and sent letters bearing their seal, inscribed merely with the name of God, to all local officers, military leaders and members of the Durbar, requiring their presence and obedience. They sent similar letters to the Ranee, requiring her to join their camp with her son, and to deliver up her brother and the murderers of Peshora Singh, if he were really dead. The Ranee justified his death, which her brother had denied. The troops answered that her admission proved it, and required her to choose between giving him up or sharing his fate with her sons

In such negotiations were passed the intermediate days. Sirdar Jowahir Sing trusted to holding the fort with his new levies and the artillery, of which the superior officers were much in his favour, but he found that, including the Englishman, or, as he himself says, the American Colonel Gardener, the troops and their officers were ready to obey the summons of the troops, and to join their camp; he now began to think of escape, and laboured in every way to gain time and conciliate the levies, that they might at least connive at his flight.

On the 19th he and the Ranee sent Deewan Deena Nath, Faqueer Noor-ood-deen, and Sirdar Ultur Singh Kaleewala, to urge the troops to return to their obedience on account of the danger of English invasion, &c. The troops immediately made them prisoners, releasing Noor-ood-deen, whom they sent to warn the Ranee that the 20th was the latest day to which the option of surrendering her brother would be left to her; that this delay was only given to spare the city the miseries of a siege of the fort; and that she and her son would pay with their lives the penalty of such siege, if their obstinacy made it necessary. At the same time, under the seal of the Punth, they required the troops in the fort to take care that no one escaped, and they posted guards at each gate of the city for the like purpose. Fakeer Noor-ood-deen, having fulfilled his mission, was honourably dismissed; the other prisoners were insulted, threatened and derided by the soldiery.

On the night of the 20th, Sirdar Jowahir Sing made great presents and greater promises to his troops, giving one General halt a lack of rupees to facilitate his escape. They allowed him to reach the gate of the fort, where the guard peremptorily forbade him to go further, saying, that such were the orders of the Khalsa Punth. The Sirdar returned to his house in despair.

In the afternoon of the 21st, it was announced that four battalions had left the camp to destroy all in the fort, of which the garrison, with all the artillery and generals, had marched to the camp of Mujan Meer. Immediate departure for the camp was announced to be the only chance of safety. The Sirdar, his sister, and her son, with all the members of Durbar who had not already gone to the camp, now mounted on the state elephants, and proceeded to join the troops, their tents having been already sent on. The four battalions which they met turned

turned back in silence and escorted them to the camp. When they arrived there it had become dark. The Ranee, the Maharajah and their immediate attendants, except the slave Mungla, were conducted to their tents by the troops, which ran tumultuously to them from every part. Sirdar Jowahir Singh was put to death in his howdah, by innumerable wounds of swords and muskets, and his body thrown out on the ground. Two of his leading associates, Bhyar Chutter, a door-keeper, and Bawa Ruttun Singh Bedee, a chabrook sower (a horse-jockey), were also put to death, as well as some orderly horsemen, much consulted on state affairs by the Sirdar. Of the rest of his attendants, most escaped in the dark. Rajah Lal Singh was made a prisoner, as also Sirdar Jewun Singh, a man of low station, a native of Majecto, but for some years a Hindoo Faqueer, in Rohlcund. Mungla, the slave, was also imprisoned, as well as a few others of less note. Sirdar Lal Singh Mararuja, who was designated to command the expedition against the English, fled, and is believed to have crossed the Sutledge. He was, on Heera Singh's death, only a risaldar of orderly horse, and raised by Jewahir Singh first to be a General and then a Sirdar, with a view sometimes of going as a special ambassador to the English, and sometimes of commanding an army to invade them. General Mehtal Singh Majeeteeta, and others of that family, lately leaders at the Durbar, are in concealment, and orders were sent to bring Lal Singh Adawlavee a prisoner from the Sutledge bank opposite to Ferozepore. Thus the whole of the members of the late government were either slain, imprisoned or fugitives.

On the morning of the 22d, the Ranee, who has still great influence with the troops, reproached them for the death of her brother, and threatened to destroy herself and her son. The Panchayet released Deewan Deena Nath and Ultur Singh Kaleewala, with orders to sooth the Ranee. After some time, she and her son, and their attendants, came out to where the body of Jewahir Singh was lying almost cut to pieces. The Ranee and her women broke out into violent lamentations, which moved the soldiers so much that they permitted her and her son to return to the fort, carrying with her the Sirdar's body. They also allowed Deewan Deena Nath and Sirdar Ultur Singh Kaleewala to accompany her.

The body was carried, first to the fort, and then to the burning place, where, amidst a great concourse of people, four of the Sirdar's wives were burned with it. The crowd was so great on the way from the fort, that they broke the order of the procession, and two companies of sepoy on duty with it, during the confusion, plundered the Sirdar's wives of all the jewels and ornaments with which they were decked for the occasion, and which were intended for distribution to Brahmins and others at the pile. Suttees are sacred, and receive worship, their last words are considered prophetic, their blessing eagerly sought for, and their curses dreaded. Deewan Deenanath, the Ranee, the Maharaja and others prostrated themselves before them, and obtained their blessing. This was repeated at the pile by Deewan Deenanath, and by the Ranee, and her sowree by proxy. The Suttees blessed them, but cursed the Sikh Punth. At the pile they were asked the fate of the Punjab, and declared that, during the present year, its independence would cease, that the Sikh sect would be conquered, the wives of the Sikh soldiery be widows, and the country desolate; but that the Ranee and her son would live long and happily, and the Maharaja continue to reign. These prophecies made a great impression on the superstitious multitude, and I mention them on that account, and because they doubtless express the opinions of persons about the Durbar.

At noon of the 22d my latest letters left Lahore; a company of infantry had arrived at the fort to demand Deewan Deenanath and Sirdar Ultur Singh Kaleewala, but with what intent was not known. The troops had that morning put Raja Lal Singh in irons, as having dishonoured the Ranee "the mother of all Sikhs." They had also made Deewan Deenanath announce, in their name, to all governors and officers the death of Jowahir Singh, and had consented to do the same to the Vakeels with me; but they had forbidden any communication directly to me, saying that in future no letter to the English was to be written till the army had deliberated on its contents. They declared, however, that they desired peace, but that if troops marched from our stations to Loodianah and Ferozepore, they would march too; if not, that each power should keep its own territory in peace.

They give out that Raja Gholab Singh is to have the Wuzership, only on condition of increasing their pay, and making a considerable donation, but till

the party of chiefs which is moving them through the Punchayets, shall decide on its next step, little reliance is to be placed on what they may say. For the present, however, there is no recognized head of the Government except the Punchayets of the army, which have not for some days used the name of the Maharajah at all; and the voice of the troops was, on the 22d, for remaining in this state till the Dusserah, when they propose to nominate a Government to carry on ordinary business under the Punchayets. They have named one of the minor Sirdars, Mujan Pirthee Singh, a relation of the Jummoo family, who has, without appearing, been deep in the intrigues of the last few months.

—No. 7.—

The GOVERNOR-GENERAL to the SECRET COMMITTEE.—Camp, Muttra,
November 6, 1845.—(No. 8.)

(Extract.)

THE Ranee continues to carry on the Government in her own name as regent for her son; she consults alternately Dewan Dina Nath and Bhaee Ram Sing, with Rajah Lall Sing, and endeavours to play off the one against the other, while she, with the concurrence of the army, governs in person as the army pleases.

She is said to have shown much spirit and energy on more than one occasion lately; and to have laid aside to a great extent all debaucheries with her veil; she now appears openly to her troops, and in public generally; and has been leading a more regular life, desiring that it may be thought she devotes herself to state affairs.

In the meantime dissensions are beginning to show themselves amongst the troops; Courts's brigade having divided itself into two parties, with separate interests.

The small amount of money remaining in the treasuries is becoming notorious; and many excesses have been committed by the troops on their return from leave. Two generals have been beaten, and turned out of the camp, and demands made on the Ranee for generals of the troops' own selection and nomination.

Sirdar Tej Sing has returned from Peshawar, and is intriguing on his own account, while Rajah Golab Sing continues to strengthen himself, and to watch events. He has lately entertained a large number of Affghan troops. Confidential agents, with overtures from different parties, have been endeavouring to open communications with the agent, who, as before instructed, hears what every person has to say to him, but gives no sort of encouragement to any one.

—No. 8.—

The GOVERNOR-GENERAL to the SECRET COMMITTEE.—Camp, Delhi,
November 18, 1845.—(No. 9.)

(Extract.)

No material change in the state of parties or affairs at Lahore has taken place.

The Ranee, taking with her the young Maharaja, went in person to Umritsir, to endeavour to induce the Killedar at Govindgurh to make over to her a part of the treasure there, to meet the demands of the troops for their pay.

After much discussion and intrigue 20 lacs of rupees were promised, whereof 10 lacs were placed at the Ranee's disposal.

Before the remaining 10 lacs could be obtained, news arrived from Lahore that

that the troops there had given out that the Ranee and young Maharaja had absconded, and that preparations were in forwardness for proclaiming the infant son of the late Shere Sing Maharaja, and for appointing Rajah Golab Sing minister.

This caused the Ranee and her party to return forthwith to Lahore, where they are said to have arrived just in time to arrest the progress of these proceedings; and her presence and energetic behaviour appear to have restored her influence for the time.

The 10 lacs brought from Govindghur have been made over to the pay department; and the arrangements by assignments, &c. which the Ranee was making, would, it was thought, enable her to meet the present demands of the troops.

I send the copy of an official communication (secret) which I have made to the Commander-in-Chief, relating to commissariat arrangements for a portion of the army stationed on the frontier during the present season. My reasons for making these arrangements are contained in the letter to his Excellency.

Enclosure in No. 8

The GOVERNOR-GENERAL to the COMMANDER-IN-CHIEF.—Agra, October 24, 1845.

(Extract.)

I HAVE the honour to inform your Excellency that, on or before the 12th of November arrangements will have been made by which the commissariat department will be prepared to equip nearly two-thirds of the force at, and in advance of, Meerut, with the necessary means of marching at the shortest notice.

The extent to which it may be expedient to be prepared with this description of equipment must always be dependent on contingent events, which fluctuate, in an unsettled Government like that of Lahore, in a manner which defies all ordinary calculations of probable results.

In the present state of our relations with the Lahore Government, your Excellency is aware that I do not anticipate the probability of any emergencies arising which can require the army, under your Excellency's orders, to take the field this autumn.

Nevertheless, having to deal with a mutinous Sikh army, which has usurped the functions of the Government, and whose caprice may, at any time, force on a rupture with our forces on the frontier, I have deemed it advisable to be prepared with the means of movement to the extent noted in the margin,* and as it is desirable that the arrangement should be made on the most economical scale, the whole will be hired at the halting rates.

If, as I expect, the tone of the Lahore Durbar should continue to be more friendly, as has been the case since Sirdar Jowahir Sing's death, I shall be anxious, according to events, gradually to diminish the scale of the present preparation, which, as before, is strictly of a defensive character

* 7 Troops of Horse Artillery
 6 Companies Foot Artillery.
 4 Light Field Batteries.
 2 Regiments of Dragoons.
 3 Regiments of Light Cavalry.
 5 Regiments European Infantry
 13 Regiments Native Infantry.
 6 Companies Sappers and Miners.
 2 Regiments Irregular Cavalry.

No provision has been made for the baggage animals of the European officers, according to the decision of the Government of India last year. The number required would probably exceed 1,200 camels.

Lieutenant-colonel Parsons, the Deputy Commissary-general, will be instructed to communicate with your Excellency on this subject, and will postpone his usual tour of inspection for one month.

—No. 9.—

The GOVERNOR-GENERAL to the SECRET COMMITTEE.—Camp, Umballa,
December 2, 1845.—(No. 15.)

(Extract.)

I LEFT Delhi on the 19th ultimo, making the usual marches towards Kurnaul and Umballa, with the intention of meeting the Commander-in-Chief at the latter place, who was on his way to inspect the troops at Meerut, Delhi and other districts.

On the 22d November I received from Major Broadfoot the official despatch dated the 20th November, detailing the sudden intention of the Sikh army to advance in force to the frontier, for the avowed purpose of invading the British territories.

The letter of the 20th was succeeded by a private communication of the following day, stating the same facts, and enclosing news, letters and papers of intelligence received from Lahore, which professed to give an account of the circumstances which have led to the present movement, and which would appear (if these papers are to be depended upon) to have originated with the Ranee, and certain of the Sirdars, who felt the pressure of the demands of the army to be so urgent, and its present attitude and temper so perilous to their existence, that they desired to turn the thoughts of the troops to objects which might divert their attention from making extortionate demands for higher pay, by employing their energies in hostile operations against the British Government.

The precautions already adopted to provide against the possibility of our forces being unprepared to meet any movement of the Sikh army this season, and the arrangements made by the Commander-in-Chief on the receipt of Major Broadfoot's intelligence, rendered it, in my opinion, unnecessary to allow these reports of invasion to make any change in my movements. I arrived on the 26th at Kurnaul, where the Commander-in-Chief met me, having proceeded from Umballa by Dak, returning to his camp the same evening; on the same day I was also joined by Major Broadfoot.

I had the satisfaction of concurring in all the orders which his Excellency had given, to hold the troops in readiness to move at the shortest notice, and in the instructions which he had sent to the officers in command of the stations at Ferozepore and Loodiana. The force at the former post consists of one European regiment, seven regiments of native infantry, two regiments of native cavalry, and 24 field guns, exclusive of heavy ordnance. The force at Loodiana consists of one regiment of Europeans, five regiments of native infantry, one regiment of native cavalry, and two troops of horse artillery.

After a full and satisfactory consultation with his Excellency, and taking into consideration the improbability of the Sikh army crossing the Sutlege, I determined that no movement should be made towards the river by the forces from Umballa and Meerut, and I postponed, for further consideration with his Excellency, any change in the present distribution of the troops; eventually some alterations will be made, which, when they have been finally determined upon between me and the Commander-in-Chief, will be reported to you. At the present moment his Excellency coincides with me that no forward movement is required.

In the midst of much hesitation and irresolution, the enterprise ordered by the Sikh Government does not appear to have been formally abandoned; the intelligence received by Major Broadfoot on the day of his joining my camp showed that three brigades of the Sikh force had actually left Lahore a few miles in advance, to be followed the next morning by three other brigades, including one of artillery. This was on the 24th ultimo. The intelligence received from that date has been communicated to me by Major Broadfoot each day, as it arrives.

It is said they intend, in reply to Major Broadfoot's remonstrance, to allege that the fact of our having collected so large a force, with all the munitions of war, on the frontier, is the cause of the concentration of their forces on the Sutlege; that they intend to demand the reasons of our preparations; to insist on the surrender to the Lahore Government of the treasure which belonged to the late Raja Soohayt Sing; the restoration by the Raja of Nabba of the village of Mowran, escheated by the Raja, and the escheat confirmed by us; and henceforth the free passage of their troops into the Lahore possessions on this side the Sutlege.

I need

I need only remark, on the first and most essential point, that the Sikh army did in the beginning of last January prepare to move to the Sutledge. The political agent remonstrated, and the troops were withdrawn; the reason then assigned for the movement being the same as that now intended to be brought forward, namely, the state of our military preparations on the frontier. The Governor-general in Council, in a despatch to Major Broadfoot of the 25th January* 1845, entered into very full explanations, which were conveyed to the Lahore Vakeel.

The Government of India, through its Political Agent, has more than once complained of the inconvenience and expense of being obliged to retain so large a British force on the frontier, in consequence of the ungovernable misconduct of the Sikh army,—a fact well known and never contradicted by the Lahore Government.

As regards the past, it is clear that no cause of complaint has been given by the Government of India. If it should be asserted that our military preparations this autumn have given offence, the assertion is equally unfounded, and is a mere pretext for hostile proceedings which have originated in the political weakness and the internal dissensions of the Lahore Government, and, above all, in their desire to be released, on any terms, from the terror which the ferocity of their own troops has inspired. The proof is to be found in the fact that, at the time these disorderly movements commenced, no additional British troops had reached our frontier stations. The additional regiment of native infantry, destined for the reinforcement of Ferozepoor, had not arrived. At Loodiana, one of the two regiments of native cavalry had actually marched for Sinda before it was relieved, leaving that post, as it is at present, with one regiment, instead of the usual complement of two regiments of cavalry. At the other stations no alterations had been made, and the troops which had marched were peaceably engaged in completing the annual reliefs according to custom at this season.

I have given these details to show the hollow pretences of such assertions if they should be made.

I do not believe that this alleged grievance, or any of the other demands, will be made, or, if made, that they will be pressed, but I need not say that they will and must be resisted.

Such is the state of affairs at the present moment, and, although my conviction is strong that the Sikh army will be deterred from acts of aggression on account of the state of our military preparation, yet it is by no means impossible that we may be forced at any moment into war, and that operations on a very extended scale may be immediately necessary.

For this alternative I have made all preparations. Orders will be despatched to bring up from stations in the rear of Meerut the additional forces noted in the margin,* which, with the concurrence of the Commander-in-Chief, will be cantoned, with the exception of the European artillery, at or near Kimna, 28 miles from Loodiana, and 10 miles in advance of Suhind. This intention will not be divulged at the present moment, pending events at Lahore, and no step will be taken calculated to excite alarm which in prudence can be dispensed with. The Commissariat arrangements are nearly complete, on a scale adapted for defensive purposes, enabling the forces to march in any direction, at the shortest notice.

My views and measures will be anxiously directed to avoid a recourse to arms as long as it may be possible. On this point my determination is fixed. At the same time it is very apparent, from the general aspect of affairs, that the period is fast approaching when further changes will take place at Lahore, and that the weak Government of the regent will be subverted by the violence of the troops, instigated by the intrigues of the party favourable to the Raja Golab Sing.

Up to the present hour, no act of open hostility has been committed.

I shall not consider the march of the Sikh troops in hostile array towards the banks of the Sutledge as a cause justifying hostilities, if no actual violation of our frontier should occur. The same privilege which we take to adopt precautionary measures on our side must be conceded to them. Every forbearance shall be shown to a weak Government struggling for assistance against its own soldiers in a state of successful mutiny.

I have

*4 Companies of European Artillery from Cawnpore
1 Troop of European Horse Artillery
4 Regiments of Native Cavalry
6 - ditto - - Native Infantry

* The letter referred to is the next in this collection.

I have no cause to doubt the loyalty of our admirable native army, but I have every reason to believe that endeavours have been systematically made, on a very extensive scale, to tamper with them; that promises of promotion and reward have been lavishly made; and that their religious prejudices have been forcibly appealed to.

Some chiefs of influence on this side, and with estates on both sides of the river, are anxious to come forward to prove themselves unconnected with the present movement against us, and to evince their adherence to our interests. The answer I have desired may be given to them is, that we do not anticipate that the Sikhs will proceed to unprovoked hostilities; but that, should such be the case, the parties who have estates on our side the Sutledge, and prove by their conduct their true adherence to the British Government, will be protected from any consequences to which such conduct might render them liable on account of their position in the Punjaub.

I have every reason to be satisfied with the ability, energy and sound judgment displayed by Major Broadfoot in the course of these proceedings.

LETTER referred to in No. 9.

The SECRETARY to the GOVERNMENT of INDIA to the GOVERNOR-GENERAL'S Agent

Sir,

Fort William, 25 January 1845.

I AM directed to acknowledge the receipt of the copy of your letter of the 15th instant,* addressed to the Commander-in-Chief, on the subject of the alarms which prevailed at Lahore when you wrote, and the movement of troops towards the Sutledge, in consequence of certain rumours of orders alleged to have been issued by the Commander-in-Chief at Umballa.

2 In the absence of information of the orders which may have been given by the Commander-in-Chief, and which probably his Excellency could not have avoided giving, the Governor-general in Council is disposed to attribute this manifestation of alarm in some measure to the successful intrigues of the party of Gholab Singh at Lahore, which party, by detaching a portion of the Sikh army towards the Sutledge, would weaken its efforts, then about to be directed in operations against that Rajah.

3. Another cause which may have had some weight in the above movement, may be the anxiety of the Lahore Government to get rid of an army which is more formidable to its friends than its enemies, from the immediate vicinity of the seat of Government; and it may be convenient to ascribe this movement to the orders for military preparations issued at Umballa.

4 Be this as it may, the Governor-general in Council desires me to refer you to the letter, Secret Department, of the 10th instant, addressed to the Commander-in-Chief, of which a copy was sent with my Despatch of the same date, No. 17, and to beg you forthwith to state to the Durbar the exact truth, as follows:

5. That a barrack for a European regiment of infantry had for a length of time been ordered to be constructed at Ferozepore, of which the foundations are already laid; that the Governor-general in Council, perceiving during the autumn the state of weakness in which the Government of the Maharajah had been for some time, under his Highness Wuzer Rajah Heera Singh, had postponed to give orders for the completion of this building, in order that no question might arise, exciting any doubt or jealousy of our intention, on the part of the Government of the Maharajah or of the Sikh army.

6. That the British force stationed at Ferozepore has remained of the same strength as before, notwithstanding the recent violent proceedings of the Sikh army against its own Government, which conduct it is unnecessary now to comment upon, otherwise than to repeat that it is conduct utterly repugnant to British feeling and British policy; and that this army has become so notoriously beyond control, that the Governor-general in Council, always anxious to preserve the tranquility of the Sikh states under his protection, will, under existing circumstances, now proceed to complete the buildings at Ferozepore according to his original

* This letter is the next in this collection.

original intention, and also to reinforce that post by an additional force of native infantry.

7. You are requested to impress on the Vakeel, that the same forbearance has been shown since the death of the Wuzeer Rajah Heera Singh, in order to evince the friendly feeling of the Governor-general in Council towards the Maharajah, in proof of which you will advert to the sentiments expressed in the Governor-general in Council's letter to your address, and which you were desired to convey as from yourself to the Vakeel of the 15th instant, stating that if any attempts be made by violent proceedings to bring about any change, such as the army proclaiming Peshwa Sing as successor to his Highness the Maharajah, whom the British Government has recognized, that you would not feel yourself justified in recognizing, without special orders, a chief whose power had been acquired by such means.

8. You will observe to the Vakeel that, in despite of the friendly conduct of the Governor-general in Council, a portion of the Sikh army has been moved towards the Sutledge, on the pretext of rumours from the cantonments of Umballah; and you will say, that the Governor-general in Council advises the Maharajah's Government to disregard rumours and newspaper reports, over which the Governor-general in Council exercises no control.

9. You will impress upon the Durbar Vakeel that you possess the confidence of the Governor-general in Council, and that your instructions are to declare the truth plainly to his Highness's Government, reiterating the same sentiments as those conveyed by your predecessor, that the Governor-general in Council has a sincere desire to see a strong Government re-established at Lahore, such as that which existed in the time of our faithful ally, his Highness Maharajah Runjeet Sing.

10. Having taken the opportunity which this movement of Sikh troops towards the Sutledge so suitably affords, of declaring our intentions as to the military arrangements about to be made at Ferozepore, you will state that the British Government does not desire to interfere in the internal affairs of the Punjab, that the Governor-general in Council regrets the embarrassments under which the Sikh Government at present labours, and sincerely trusts that they may be overcome by firmness and prudence.

11. In making these communications, you will modify them, if necessary, in reference to any events which have occurred in the interval which must unavoidably elapse before your receipt of them, taking care not to commit the Government of India to any line of action involving any principle of policy not in accordance with the spirit of your instructions.

12. You will continue to do every thing in your power to convince the Government of Lahore of the good faith of the Government of India, so as to enable the Sikh Government to direct the efforts of their army to the legitimate object of coercing its enemies; and, if the opportunity should occur, you will, without exciting any irritation, but in the most friendly terms, state that the Governor-general in Council has, in consideration of the difficult circumstances in which the Government of the Maharajah is placed, and for other obvious reasons, hitherto forbore to make the unruly and ungovernable condition of the Sikh army a subject of formal remonstrance to the Maharajah. The Governor-general in Council trusts that a returning sense of the duty which the army owes to the Maharajah may avert the necessity of his taking any such step, and that he may hear that which will be much more gratifying to him, that it has obediently marched against his Highness's enemies, and honourably fulfilled the true functions of an army, by supporting the just authority of its Sovereign and his Government.

13. You will understand that this caution, although incidentally given, will be distinctly delivered. The state of this army, the Governor-general in Council observes, so close upon our frontier, may become an intolerable nuisance; and although it would be a mockery to expect that the Lahore Government, in the state of anarchy and weakness in which it at present can scarcely be said to exist, can regulate the conduct of an army which exercises over that Government daily acts of coercion and tyranny; nevertheless, the Governor-general in Council deems it expedient that a notice, in the most guarded terms, should be given of the great inconvenience to which the British Government is exposed, and of which, if the

Lahore Government was in a state of greater strength and responsibility, the Governor-general in Council would justly have cause to complain.

14. You will observe, in the letter of the Governor-general in Council to the Commander-in-Chief, of the 10th January, that the reinforcements, European and native, to be posted at Ferozapore, were not to be moved up by the Commander-in-Chief, unless on a report of an emergency from yourself; and that, in that letter to the Commander-in-Chief, the Governor-general in Council would be satisfied if the reinforcements were posted towards the end of March and April—so short a time before the river would become unfordable as to be no longer a source of uneasiness to the Sikh Government, and at the same time placing our advanced post in that condition to be able to defend the post and the passage of the river, in which, under existing circumstances, it ought at all times to remain.

15. I am directed to take this opportunity to send you a copy of papers, by which you will be apprized that two additional native regiments of infantry have been ordered up, making the additional four between Meerut and the Sutlej, one European regiment, two battalions of European artillery, seven regiments of native infantry, and one N. I. horse artillery.

16. This movement of the Sikh army towards the Sutlej and its mutinous ungovernable state, will be your answer to any questions which may arise as to British reinforcements arriving on the Sutlej or its immediate neighbourhood.

I have, &c.

F. Currie.

LETTER referred to in the preceding Letter.

The POLITICAL AGENT to the COMMANDER-IN-CHIEF.

Camp, Laskar-Khas-kee-Serai,
January 15, 1845.

Sir,

I HAVE the honour to enclose, for your Excellency's information, a translation of an extract from Lahore Intelligence received last night.

2. Coming immediately after the reports respecting European troops, which I had yesterday the honour of mentioning, this caused extreme excitement, and among other resolutions, one was to demand explanations from me. In order to enable me to meet these demands if made, I beg that your Excellency will do me the favour of saying whether there has been any thing of the kind described as having occurred at Umballa, or whether the whole is not mere idle rumour.

3. A second despatch, arrived this evening, brings further intelligence on this subject, and I regret that in consequence of these appearances of preparation, our position with respect to the Durbar is materially and unfavourably changed from what it was three days before, and that there is now more risk of collision than there has been yet, seeing that the Ranee, from circumstances not unlikely to deceive her, and others, suspects that we are in co-operation with her enemies, and had appealed to the troops at Lahore, communicating to them the report of the order for preparation at Umballa, ascribed to your Excellency, and the troops have offered to do whatever she will sanction against the English.

4. But, though there is more risk of disturbance now than formerly, and though our intercourse with the Lahore state is, for the moment, embarrassed, yet I beg, with the utmost deference to your Excellency's better judgment, to state that I consider nothing as yet likely to occur, and indeed very little to be at present possible, which could lead me to do more than make the application usual in such cases for support from the officer commanding the division, and that I do not even now propose, as far as matters have yet gone, to call on him to do more than maintain his usual vigilance.

5. The bulk of the Lahore army had been lately sent by this Government, in reliance on our good faith, against the Jummoo Rajas, and towards Cashmeer and the country beyond the Jhelum, which is disturbed: supposing the Durbar to collect every man in Lahore and its vicinity, including the garrison of Umritsir and other detachments, to countermand the march of the troops now proceeding to

to Jummo, and allowing nothing for men on leave, or sick, or false musters, they can only collect of regular troops as follows :—

Infantry	-	-	-	-	-	-	12,200
Cavalry	-	-	-	-	-	-	1,200
Artillery	-	-	-	-	-	-	1,530
TOTAL							- - - 14,930

a number inferior, I believe, to that of the troops in the Sirhind division, and in a state of such utter disorder that their nominal leaders cannot get them to face the armed peasantry of Jessotas, nor do anything but plunder the people, insult and beat their officers, and return at will to their own homes. In addition to this, they have, however, the following undisciplined troops :—

Irregular infantry, 1,500; two battalions of Heera Singh's hill-men, who have joined the Sikhs for high pay, and have received muskets, and are now at drill :

Irregular horse, 4,750, including those at Umritsir, detached to the Sutledge, Jaghurdars, &c.

I think that the most probable source of disturbance will be, that the restriction to 14 miles from Lahore of their troops detached towards the Sutledge will be withdrawn, and that this disorderly rabble will interrupt the dawks, and commit outrages on the south side of the river, as well as on the north; but it will be most likely in a way not easily distinguished from ordinary gang robberies and forays.

I have, &c.
(signed) G. Broadfoot.

TRANSLATION of an EXTRACT from the LAHORE AKHBAR.

THE newswriter of Umballa reported through that the officers and men of the English force had on their parades received an order from the exalted in rank the Commander-in-chief of the English armies, that the whole of the victorious troops should remain continually ready, for it was uncertain how soon they might be called on to march, and that they must be in light marching order, so that they may be able to march with every thing necessary at four hours' notice; and the whole force in the cantonments looks for further orders to march, and the English, agreeably to the orders of the Commander-in-chief, are all busy in preparing what is necessary for a march in light order; and it is the rumour that the march is to take place very shortly on further orders being issued, and that it is to be towards Ferozepore; and the gentleman of Umballa has been instructed (advised) respecting the procuring of carts and camels, and other carriages, in order that he may collect them through the vakeels of the different Sirdars.

Enclosure No. 1, in No. 9.

The AGENT to the GOVERNOR-GENERAL to the LAHORE VAKEEL RAIEE
KISHUR CHUND.

Umballa, 18 November 1845.

THE friendship and alliance now for many years subsisting between the two powers, according to the established rules, is well known to all the world, and may God grant that it increase daily.

At this time a very general report prevails in the Punjaub which has extended to the districts of Loodiana and Ferozepore, and has now reached me, and it behoves me, on account of the existing relations of friendship, to make it known to you.

The report alluded to is this, that the Durbar first ordered the regular army to advance towards the Sutledge, the limits of the two states, for objects at variance with existing

existing treaties. The regular army, however, refused, and the same orders were then given to the irregular army, which has acquiesced.

The policy of the late Maharajah Runjeet Sing in this respect is known to all men, and especially to you, as an old servant of the state, that his Highness never moved a small portion of men towards the Jalunder Doab without previous intimation to the agent, and never advanced a larger force without first ascertaining the wishes of the agent on the subject.

The reported intention of the Durbar is therefore improper, and at variance with existing relations of friendship, and can scarcely be believed. With reference, however, to late proceedings of some of the officers of the Durbar, which took place some four or five months since, it is not impossible that it may be true. I therefore now place explicitly in writing what I formerly mentioned to you, as I am bound to do by existing rules of friendship,—

That the fact of my army exhibiting a hostile purpose is incompatible with friendly relations.

If the purpose of the parties concerned be merely the destruction of that army, they entertain a mistaken notion; for the sender of the troops, whether openly or secretly, must be necessarily considered as implicated with them, for a ruler is responsible for the acts of his army or subjects. If the troops of any government are enemies, then the government to which they belong is also an enemy. The prowess of the British Government, and the strictness with which it maintains the rules of friendship, are well known to the Sikh Durbar. Communicate to me immediately whatever may come to your knowledge on this subject.

G. Broadfoot.

Enclosure No. 2, in No. 9.

The POLITICAL AGENT to the COMMANDER-IN-CHIEF.

Governor-general's Agency,
20 November 1845.

Sir,

SINCE I had the honour of waiting on your Excellency to-day, I have received Lahore letters of the 18th instant (morning.)

During the night of the 17th the chiefs had agreed on, and the Durbar had ordered in writing, the following plan of operations:

The army was to be divided into seven divisions, one to remain at Lahore, and the rest to proceed against Roopar and our hills, Lodianah, Hurreekee, Ferozepore, and Scinde, while one was to proceed to Peshawer; and a force under Rajah Golab Singh was to be sent to Attock.

Each division was to be of 8,000 to 12,000 men against Ferozepore, under Sham Sing Attarewallah, whose estates adjoin the place against which it was to act. Against Hurreekee is to go Rajah Lal Singh; against Loodeeanah, Sirdar Tej Singh, the new Commander-in-chief; and against Roopar, a brother of Sena Sing Mujetteea.

The force under Sham Singh is to be 4,000 horse, and two brigades of infantry, with guns; under Raja Lal Singh, 4,500 horse, and two infantry brigades; under Sirdar Tej Singh, four brigades of infantry (one of them irregulars, and one new levies), and 1,000 horse, &c.; but till the plans of the Durbar are in actual execution, they cannot be considered fixed, and therefore I do not trouble your Excellency with further details.

With respect to the probability of their actually moving, I must say that my correspondents in Lahore seem to doubt it, though they are perplexed. The causes, however, which have so suddenly led the Durbar to such lengths, may carry it further; and indeed it is difficult to see how they can stop now without a change of government; a thing not unlikely; still prudence requires that we should act as if they would not change their minds, and I therefore most respectfully venture to submit to your Excellency the following suggestions

First, that the carriage of the troops in this division should be drawn into the stations, both for security, and to enable the troops to move at the shortest notice; and that the European troops in the hills should be held in readiness to march; to move them is a work of time, and needs some preparation. I shall write to the Sub-Commissioner and the other local authorities without delay to collect coolies;

coolies ; but I shall be glad to hear from your Excellency the numbers required, and also on what roads supplies, &c. should be got ready.

With respect to further measures, I must of course speak with extreme diffidence ; on the whole, I incline still to hold the opinions that I had the honour of expressing verbally, and I may now add, that the matter seems to have come to a pitch which makes some notice of it by our Government not easily avoidable ; and this being the case, and as the Governor-general is so near, it may be desirable to await his arrival, or his decision as to the extent of what may be done, before making any movements, unless we hear of the Sikh army having actually crossed the Sutlej.

In all this, however, I speak with the utmost submission to your Excellency's better judgment ; but I beg to add, that in whatever your Excellency may decide on, I shall esteem it an honour to give whatever aid I can.

I have, &c.

(signed) *G. Broadfoot.*

Enclosure No. 3 in No. 9.

The AGENT to the GOVERNOR-GENERAL to the SECRETARY to the Government of *India*.—Camp, Umballa, 20 November 1845.

(Extract)

I HAVE the honour to forward, for the information of his Excellency the Governor-general, a copy of a demi-official letter to his Excellency the Commander-in-chief, as affairs at Lahore assumed their present form

Not to delay the messenger, I must reserve a fuller report till to-morrow ; but I may add to what has been already communicated demi-officially, and what will be gathered from my letters, that no complaint of any kind has been made to me by the Durbar, and that the pretext of a grievance alleged has been dropped by the Durbar, and rejected by the troops. The truth is, all are in a false position, from the unlooked-for results of the cry raised against the English, to serve a party purpose, and all, moreover, are indifferent to war with us, from their firm persuasion that, if victorious, they will find new means of power and wealth, and, if beaten, that they will be what most of them desire, the heads of a subsidiary, instead of an independent, state.

This opinion has never received any countenance from me, but the very contrary ; and the Durbar will by this time have received the perwannah which I addressed to the Vakeel, when the intrigues which have led to the present state of things assumed a serious form. It will be seen from the enclosed copy of it, that no warning could be plainer, and, as therein indicated, that it is only a repetition of former warning

Continued letters from my assistants, respecting the rumours on the frontier, showed that our posts there were vigilant ; and I abstained, therefore, from communicating with the military authorities, in order to prevent the Durbar having the smallest ground to say that any menacing preparations or movements on our part had been taken up, for this ground has been already alleged in their consultations, as justifying their present movements ; nay, even after I had yesterday received a communication on the subject from the Major-general commanding the division, I forebore to write to his Excellency the Commander-in-chief, and even to-day I ventured to recommend to his Excellency that no steps should be taken for the present. Since then, however, authentic intelligence has reached me that the Durbar has openly adopted, and ordered in writing, a fixed plan of operations against the English, and I accordingly addressed to his Excellency the Commander-in-chief the letter, of which a copy is annexed.

I now only suggest abstinence from movement on account of the vicinity of the Governor-general, who will probably think the matter now one which has gone too far to be left unnoticed, whether the troops actually move from Lahore or not.

That I presumed to suggest any delay whatever is owing to this : It appears to me that the frontier is too long to be defensible in all points by any force we can move ; that our two posts on the frontier are strong enough to maintain themselves

themselves till relieved; and that to attempt reinforcements, therefore, in anticipation of those of the Sikhs would be useless as protecting the open country, and might impede any operations which the Governor-general may resolve on. Moreover, the delay recommended is only one of two or three days, till an answer to this letter can be received.

The Sikh Sirdars on this side of the Sutlej have for many months past been called on to keep their troops in readiness to repel the invasion of their territories, and I have now directed them to prepare to repel the threatening aggression.

I have, &c
(signed) *G. Broadfoot.*

P.S.—It is right to add, that up to the last moment the regular troops were discussing the propriety of murdering Rajah Lal Singh and Sirdar Tej Singh, and sending for Rajah Golab Singh to lead them. The two chiefs menaced look for escape to exciting enthusiasm against the English. This may delay or precipitate invasion.

Enclosure No. 4 in No. 9.

The COMMANDER-IN-CHIEF to the AGENT to the GOVERNOR GENERAL.

SIR,

Camp, Umballa, 20 November 1845.

I HAVE the honour to acknowledge the receipt, this moment, of your letter of this date, conveying to me intelligence of the hostile attitude which has been assumed by the Lahore Durbar.

Under the circumstances, I have ordered the following preparations to be entered upon immediately, to meet whatever may take place:

Her Majesty's 9th Lancers to move at once from Meerut to Umballa.

To be held in readiness to move from Meerut to Kurnal on the shortest notice,—two troops of Horse Artillery; Her Majesty's 16th Lancers; the 3d regiment of Light Cavalry; Her Majesty's 10th Foot, save one company; the corps of Sappers and Miners; all save one of the regiments of Native Infantry.

The 8th regiment of Irregular Cavalry will likewise be held prepared to move from Hansee to Kurnal, and the Sirmoor Battalion from Deyrah to Saharumpore, where it will be centrally situated, and ready to be moved wherever it may most be required; the 4th regiment of Irregular Cavalry will be brought up from Bareilly to Meerut.

I beg that you will instruct the civil authorities at Simla to place themselves in communication with the officers commanding European corps in those hills, and ascertain from them what number of coolies will be required to enable the regiments to move, in order that they may be collected at once. Supplies for the corps in the hills will be required to be laid in on the roads leading thence to Sirhind.

I shall direct the other corps of all arms in this division to draw their carriage into cantonments, in view to the troops being prepared to act on the shortest notice.

Previous to adopting any further measures at present I would await a communication of the views of the Governor-general.

I have, &c.
(signed) *H. Gough.*

Enclosure No. 5, in No. 9.

The AGENT to the GOVERNOR-GENERAL to the SECRETARY to Government.

Umballa, 21 November 1845.

THE Durbar of the forenoon of the 18th was protracted till 2 o'clock, but I have not the details of the afternoon Durbar.

11 A.M. was the hour found by the astrologers as auspicious for the march of the troops; not a chief stirred from his house. The officers and punchayets of the

the troops, regular and irregular, to the number of a couple of thousand, crowded to the Durbar and demanded the reason; the Ranee tried to soothe them, saying, that the fortunate hour being passed, the march could not now be undertaken till the astrologers found another. The crowd demanded that this should be instantly done, and the court astrologer was ordered into their presence to find the proper time. He poked through his tables for two or three hours, while the Ranee sought to divert the attention of the military mob; at length he announced that the most favourable day was not till the 15th Mujsur (28th November). The military were furious, and declared that he was an impostor, and that they had to get from him two crores of rupees which he had made from the public money; the pundit implored mercy, and said the 7th Mujsur (20th) was also a good day; the military were still angry, and the poor pundit left amidst their menaces.

They proposed that the Ranee and her son should march, and intimated that till they made an example of some chief no march would take place.

The Ranee complained that whilst the troops were urging the march, they were still going home to their villages as fast as they got their pay; and Surdar Sham Singh Attareewallah declared his belief that unless something was done to stop this, he would find himself on his way to Ferozepore with empty tents. The bait of money to be paid, and to accompany them, was also offered, and at length the Durbar broke up at 2 p.m. Great consultations took place in the afternoon, but I know only one result, that the Ranee had to give her lover his formal dismissal, and that he (Rajah Lal Singh) actually went into the camp of the Sawars he is to command, and pitched his tent.

What the Ranee says is quite true of the sepoy dispersing to their houses; the whole affair has so suddenly reached its present height, that many of the men themselves think it will come to nothing, and still more who had taken their departure do not believe it serious enough to go back. On the day after this scene took place, i.e. the 19th, the usual stream of sepoy, natives of the protected states, who had got their pay, poured across the Sutlege, at Hureeskee, on the way to their homes. Every preparation, however, for war is making with probably more energy than if it had been a long-planned scheme, for every person of whatever party must show his sincerity by activity and virulent professions of hatred to the English.

Enclosure No. 6, in No. 9

LETTER from *Lahore*, Evening of the 24th November 1845.

BHAAE RAM SING thus advised Raja Lal Sing:—"The English have interfered in no affairs of the Khalsa; what is the wisdom of your making a (religious) war at the bidding of the soldiery? None of the nobles have discovered the real intentions of the English. The Governor-general's agent, who is a steady friend, and charged with the relations of the friendship between the two Governments, has written in the plainest terms, that the English Government desires only friendship like that of the late Maharaja Runjeet Sing; but that if any thing wrong is done by the Sikh army, the rulers of the kingdom will be held responsible, for rulers must account for the acts of their troops and subjects. Be cautious how you march to Hureeskee with the troops."

The Raja said, "Bhaee Sahib, what can I do? if I remain, the soldiery calls me to account" (seize me by the throat). The Bhaee said, "Delay a few days; require the other Surdars to go forward, or you will bring the whole odium and risk on yourself; and if you go to Hureeskee, what will you do? If the English do not attack you, you will sit there and be ruined; who will protect you?"

The Raja said he would go to that Dheora, and stay in his tent (near Shalimar), and he begged the Bhaee's influence to have his departure delayed.

The Raja went to his tent, and told the officers of the cavalry to march, as he was ready. They, that is Dal Sing, of Rythub, said, "Raja, you have never seen war of any kind, and know nothing of war with the English; send on the regular troops; we will join rapidly when the war begins. Tej Sing is a wise man; let him go first."

The Raja is greatly ashamed, and sent word to the Bhaee to say he would remain and send on ammunition.

— No. 10. —

The GOVERNOR-GENERAL to the SECRET COMMITTEE.—Camp, Umballa,
December 4, 1845.—(No. 16).

(Extract.)

MAJOR BROADFOOT having reported to me that the Lahore Vakeel had joined the camp from Loodeeana, I directed Major Broadfoot to see him and to require from him the reply to his perwanah, remonstrating against the proceedings which had taken place at the time it was written, and demanding the cause thereof.

The Vakeel waited upon Major Broadfoot, and in reply to his requisition asserted, that he had received no reply from the Durbar; that he had sent the communication immediately to Lahore, had received merely an acknowledgment of its safe arrival, and that he had repeatedly sent urging that a reply should be forwarded to him, but hitherto without success; but he asserted that he fully expected the reply by that evening's post.

Major Broadfoot explicitly informed the Vakeel, as previously instructed by me, that the Governor-general would not permit the Lahore Government to trifle with him in a matter of such serious importance; that positive information had been received of the Lahore army having left the capital towards the frontier, avowedly with hostile intentions towards the British Government, to which course they had been instigated by the express and repeated orders of the Ranee and the chiefs, and that the Governor-general expected to receive, without further delay, an answer to the political agent's written remonstrance. Major Broadfoot then said, that he should report to the Governor-general the result of his interview with the Vakeel, and communicate in writing the orders he might receive. The Vakeel said very little at this interview; he protested that he had done all in his power to procure a reply to the perwannah; and on Major Broadfoot's saying that we knew positively that the Ranee and chiefs had ordered the present movement, he said *he* had no such knowledge.

When Major Broadfoot reported to me, in the evening, the result of this interview, I immediately directed him to address to the Vakeel the written communication, a copy of which is inclosed.

I considered that it was absolutely necessary, on my arrival at Umballa, to take decided notice of the extraordinary proceedings that had taken place, and were stated to be still in progress. It was evident I could not permit the political agent's communications, in the face of what was going on at Lahore, to be treated with disregard. I took the mildest course in my power, consistently with the dignity, position and interests of the British Government. I purposely left an opening to the Lahore Government to remedy, through its Vakeel, the discourtesy it had shown, by affording to that Government the facility of making any explanation it might desire. The plain construction to be put on the silence of the Lahore Government in reply to the demand for explanation, evidently was, that the intentions of that Government were hostile, in which case I did not deem it to be expedient to give to that Government the leisure to complete their hostile preparations; whilst, on my part, I had abstained from making any movement, expressly for the purpose of avoiding any cause of jealousy or alarm; thus affording to the Maharaja's Government the strongest proof of the good faith and forbearance of the British Government.

Major Broadfoot entertains the impression that the reply to his demands had been sent to the Vakeel, and had either been returned by him, with a protest, (as is, I understand, often done), or was, at the moment of the conference in his possession, but was withheld because the Vakeel was reluctant to deliver so unfriendly a document.

However that may be, the perwannah from Major Broadfoot of the evening of the 2d December was received by the Vakeel the same night, and, with the reception of an acknowledgment of its receipt, no further communication has passed between him and Major Broadfoot. The Vakeel is not now in the camp.

I am satisfied that the course I have adopted was imperatively required, and before I authorize any precautionary movements to be made, I shall give full time for a reply to be received from Lahore.

This morning, news up to the 1st instant has been received. The Ranee and Sirdars are becoming more and more urgent that the army should advance to the frontier,

frontier, believing that, in the present posture of affairs, the only hope of saving their lives and prolonging their power is to be found in bringing about collision with the British forces. The Sikh army moves with evident reluctance, and is calling for Golab Sing, who is collecting forces at Jumboo, and is watching the progress of events.

My own impression remains unaltered. I do not expect that the troops will come as far as the banks of the Sutlej, or that any positive act of aggression will be committed; but it is evident that the Ranees and chiefs are, for their own preservation, endeavouring to raise a storm, which, when raised, they will be powerless either to direct or allay.

I shall, as I have before said, await the reply from Lahore to Major Broadfoot's last communication to the Vakeel.

If the reply from the ostensible Government, acting under the control and at the dictation of the army, is hostile, I shall at once order up troops from Meerut and other stations to the support of our advanced positions, persevering up to the last moment in the sincere desire to avoid hostilities.

Enclosure No. 1, in No. 10.

The AGENT to the GOVERNOR-GENERAL to the LAHORE VAKEEL.

2 December 1845.

I WROTE to you a letter on the 18th ultimo, requiring explanations as to the reported orders of the Lahore Durbar to its troops, to move towards the Sutlej with unfriendly intentions.

On the 20th instant, you answered from Loodeeana, that you had forwarded a copy of my letter to the Durbar immediately on receiving it, and you stated that on receiving an answer you would forthwith communicate it.

For several days past I have been in hourly expectation of your answer, but none came.

This day, on your waiting on me, you informed me, that though you had some days ago received from the Durbar an acknowledgment of the receipt of your letter, you had received no answer to it, but that you had in the interval written repeatedly to the Durbar on the subject of it, and that you confidently expected an answer this day, or, at furthest, to-morrow morning.

I pointed out to you that, notwithstanding the notoriety of the events which had occurred at Lahore, and notwithstanding the inconvenience suffered by the detention, on the frontier, of the battalions about to leave it for Sindh and Bareilly, the Governor-general, in hopes of receiving without delay satisfactory explanations in answer to my letter, had continued the forbearance he has exercised so long, and to so great an extent; that no new troops had arrived on the frontier, and that the Governor-general had proceeded slowly on his journey in this direction, as intended, before the occurrence of the events of which explanation is now demanded; that I pointed out that, notwithstanding this forbearance, you had appeared after so long an interval, without any answer to my demand for an explanation, and that I saw this with surprise and regret.

I have now to communicate to you the following orders from the Governor-general.

His Excellency has directed me to say, that the rules of friendship between the two States, and indeed the customs of all nations, require that in answering a demand for explanations of events so grave as those which have occurred at Lahore, not a moment is to be lost, because delay cannot but operate to confirm the (MOST UNFRIENDLY) *worst* construction of such events, and is, moreover, an act of the highest discourtesy towards the Government demanding explanations. In this instance the requisition for explanation has been disregarded, and the apparently hostile movements have been continued.

Under these circumstances, the Governor-general feels it impossible to permit you, who are the authorized representative of the Government which has offered to his Government so great a slight, to continue in his Excellency's camp, while this slight is persevered in; he has directed me not to admit you to any further interview with me; unless you come as the bearer of the answer of the Durbar

to my remonstrance; and his Excellency further commands, that if this answer be not delivered before noon to-morrow, you will quit this camp.

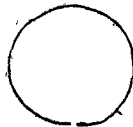
To prevent, however, interruption to the business of this agency, as regards the Muhaja's estates on this side of the Sutlej, I request that you will leave with me a confidential Moonshee to communicate, during your absence, my orders, or those of the subordinate courts of the agency, to the managers of those estates; and you will warn the Kardars and residents in those estates to obey all orders coming from the ordinary courts through your Moonshee in the same way as if received from yourself.

(signed) *G. Broadfoot.*

Enclosure No. 2, in No. 10.

The LAHORE VAKEEL to the GOVERNOR-GENERAL'S AGENT.

Your letter, dated 2d December 1845, has been delivered to me by Moulvee Rujub Ally Khan after midnight, and I have arranged for its immediate transmission to the Durbar.



Seal of *Krishen Chund.*

The 2d December 1845, after midnight, (*i. e.*, by our reckoning, 1 A. M., 3d.)

— No. 11. —

The GOVERNOR-GENERAL to the SECRET COMMITTEE.—Camp, Ferozepore,
31 December 1845.—(No. 18.)

(Extract.)

SINCE my last Despatch to you, of the 4th instant, events of great moment have occurred.

The Sikh army in large numbers commenced crossing the Sutlege on the 11th, and, after investing Ferozepore on one side, took up an entrenched position at the village of Ferozeshab, about 10 miles in advance of Ferozepore, and about the same distance from the village of Moodhee.

In this camp the enemy had placed 108 pieces of cannon, some of large calibre, with a force exceeding 50,000 men, for the purpose of intercepting the approach of the British force, moving up from Umballa, to the relief of Ferozepore, which had been thus treacherously attacked, without provocation or declaration of hostilities.

I had ordered on the 8th instant that portion of our army, posted at Umballah for defensive purposes, to move up on the 11th, and after a rapid march of 150 miles it reached Moodkee on the 18th, where, on the evening of the same day, it repulsed an attack of the Sikh army, and captured 17 guns; on the following day the army was concentrated at Moodkee, and on the 21st moved by its left on Ferozepore, and having on the march formed its junction at half-past one o'clock with 5,000 men and 21 guns, under Major-general Sir John Littler, which had moved from Ferozepore that morning, the Commander-in-Chief formed the army in order of battle, and attacked the enemy's entrenched camp; and on that evening and the following morning captured 70 pieces of artillery, taking possession of the enemy's camp, with large quantities of ammunition and warlike stores.

These successful and energetic operations have been followed by the retreat of the Sikh army to the other side of the Sutlege, the British army being now encamped between Ferozepore and the fords of the Sutlege.

You will not fail to observe that these important and brilliant successes have been achieved by that portion of our army posted at and in advance of Umballah, for defensive purposes; and that our forces from Meerut, and other stations from
the

the rear, ordered to move up at the same time, are in reserve, and will reach this neighbourhood between the 5th and the 9th of January.

I have the honour to enclose two reports from the Commander-in-Chief, detailing the admirable manner in which these important duties have been performed, and I am convinced the Court of Directors of the East India Company, in concurrence with Her Majesty's Government, will highly appreciate the eminent services rendered by the Commander-in-Chief, and by the officers, non-commissioned officers and soldiers of the Indian army.

The Commander-in-Chief has successfully accomplished every object I had directed him to effect for the relief of Ferozepore, and the protection of these British states. No accident or failure has occurred during the complicated operations of a combined movement, and our army, whether for defence or attack, has shown, as heretofore, that its power is irresistible.

I also transmit a notification which I issued on the 25th instant, and a general order recording the grateful acknowledgments of the Indian Government for these important services.

I now proceed to detail the events which preceded a resort to arms, and I am convinced that the forbearance manifested by me in all these transactions will meet with your approval.

My previous correspondence will show the extreme anxiety I felt to avoid hostilities, by friendly explanations required from the Lahore Durbar; and my reluctance to give any cause for jealousy or alarm to the Sikh army and government was so strong, that, from the 18th of November up to the 8th of December, I deferred to make any movement of troops, in the hope of proving the sincerity of our professions by the moderation of our actions. This forbearance, carried to the utmost limits which prudence could allow, was not appreciated at Lahore.

In the state of anarchy and uncontrollable power usurped by the Sikh army, my reluctance to resent their hostile conduct may have been misunderstood as the effect of conscious weakness or of timidity; but the Lahore government, there is every reason to believe, was not influenced by any such impressions.

The regent and her advisers courted collision for the purpose of employing their unruly soldiers against their friendly neighbour, as the safest means of extricating themselves from the personal dangers to which they were constantly exposed; the Lahore government deceived their army by false statements of the fidelity of our native troops, whom they have in vain attempted to corrupt by emissaries employed by that government.

And there is also reason to believe that active intrigues had for some time past been resorted to, in order to induce the chiefs of our protected Sikh territories to rise in arms against the British power, as soon as a Sikh army should cross the Sutleje.

There was no proof that such a conspiracy existed on the part of the leading Sikh chiefs on this side the Sutleje, although in a very few instances, where the personal character of the individuals accounted for the folly of their conduct, there were reasons for believing that disaffection did exist, and would be exhibited with activity on the first favourable opportunity, and particularly if any reverse should attend our arms.

I shall have occasion to advert to this subject when I notice the proclamation I issued on the 13th instant.

But I will previously resume the narrative of the daily intelligence from Lahore, as affording a connected series of the events which have occurred since the 4th of December, when I informed you that I had deemed it expedient to desire the Lahore Vakeel to leave my camp, in consequence of the disregard shown by his court to my political agent's remonstrance of the 18th of November, and of the determination evinced by the Durbar to withhold all explanation of their conduct.

I had moved with my camp on the 6th of December from Umballa towards Loodiana, peaceably making my progress by the route I had announced, with the intention of visiting the Sikh protected states, according to the usual custom of my predecessors.

In common with the most experienced officers of the Indian government, I was not of opinion that the Sikh army would cross the Sutleje with its infantry and artillery.

I considered it probable that some act of aggression would be committed by parties of plunderers, for the purpose of compelling the British government to interfere,

interfere, to which course the Sikh chiefs knew I was most averse, but I concurred with the Commander-in-Chief, and the chief secretary to the government, as well as with my political agent, Major Broadfoot, that offensive operations, on a large scale, would not be resorted to.

Exclusive of the political reasons which induced me to carry my forbearance, as far as it was possible, I was confident, from the opinions given by the Commander-in-Chief and Major-General Sir John Littler, in command of the forces at Ferozepore, that that post would resist any attack from the Sikh army as long as its provisions lasted, and that I could at any time relieve it, under the ordinary circumstances of an Asiatic army making an irruption into our territories, provided it had not the means of laying siege to the fort and the entrenched camp.

Up to this period no act of aggression had been committed by the Sikh army. The Lahore Government had as good a right to reinforce their bank of the river Sutleje, as we had to reinforce our posts on that river.

The Sikh army had, in 1843 and 1844, moved down upon the river from Lahore, and, after remaining there encamped a few weeks, had returned to the capital. These reasons, and above all my extreme anxiety to avoid hostilities, induced me not to make any hasty movement with our army, which when the two armies came into each others presence, might bring about a collision.

The army had, however, been ordered to be in readiness to move at the shortest notice; and, on the 7th and 8th December, when I heard from Lahore that preparations were making on a large scale for artillery, stores and all the munitions of war, I wrote to the Commander-in-Chief, directing his Excellency, on the 11th, to move up the force from Umballa, from Meerut, and some other stations in the rear.

Up to this time no infantry or artillery had been reported to have left Lahore, nor had a single Sikh soldier crossed the Sutledge. Nevertheless, I considered it prudent no longer to delay the forward movement of our troops, having given to the Lahore Government the most ample time for a reply to our remonstrance.

On the 9th, at night, Captain Nicolson, the assistant political agent at Ferozepore, reported that a portion of the Sikh army had approached within three miles of the river. On the other hand, the information received by Major Broadfoot on that day from Lahore was not of a character to make it probable that any Sikh movement on a large scale was meditated.

On the 10th no intelligence was received from Lahore confirmatory of Captain Nicolson's report, and the usual opinion continued to prevail that the Sikh army would not cross the Sutledge.

The troops, however, moved on the 10th, 11th and 12th, in pursuance of the orders given on the 7th and 8th; and the whole of the forces, destined to move up to the Sutledge, were in full march on the 12th.

I did not consider the force, moving up from Umballa, to be sufficient to force its way to relieve Ferozepore, if a large Sikh army, with a numerous and well served park of artillery, should attempt to intercept it in its approach to Ferozepore, as, in such case, it could with difficulty receive any aid from that garrison. Being some days march in advance of the Commander-in-Chief, I rode over to Loodiana; and, having inspected the fort, the cantonments and the troops, it appeared to me most advisable that the whole of this force should be moved up with the Umballa force, restricting the defence of Loodiana to the fort, which could be securely garrisoned by the more infirm soldiers of the regiments at that post, unless attacked by heavy artillery, which was a very improbable contingency.

The risk to be incurred of leaving the town and the cantonments liable to be plundered, was maturely considered, and I had no hesitation in incurring that risk to ensure the strength and sufficiency of the force which might separately be brought into action with the whole of the Sikh army. I, therefore, ordered Brigadier Wheeler to be prepared to march at the shortest notice.

The Umballa force, in March, was 7,500 men and 36 guns.

The Loodiana force amounted to 5,000 men and 12 guns.

The Commander-in-Chief concurred in these views, and this fine body of men, by a rapid march on Busseean, an important point, where the roads leading from Umballa and Kurnaul meet, formed the advanced column of the army, and secured the supplies which had been laid in at Busseean.

Up to the morning of the 12th, the information from Lahore had not materially varied; but, by the reports received on that day, the general aspect of affairs appeared

appeared more warlike. Still no Sikh aggression had been committed, and no artillery had moved down to the river.

On the 13th I first received precise information that the Sikh army had crossed the Sutledge, and was concentrating in great force on the left bank of the river.

The Umballa force at that time had been in movement three days. On this date I issued the proclamation, a copy of which is enclosed.

On the 14th the British forces moved up by double marches on alternate days, and on the 18th reached Moodkee, 20 miles from Ferozepoor, after a march of 21 miles.

On this day, and at this place, the whole British force was concentrated, with the exception of two European and two native regiments, expected on the following day.

The troops were engaged in cooking their meals, when Major Broadfoot received information that the Sikh army was in full march, with the intention to surprise the camp. The troops immediately stood to their arms, and advanced. The result of that short, but decisive, action, was the signal defeat of the enemy at every point, and the capture of 17 guns, the details of which are given in the report of the Commander-in-Chief, herewith sent. The troops returned to their camp at midnight, and halted the 19th and 20th to refresh the men, to collect the wounded, and bring in the captured guns.

There was no objection to this delay, as it was evident, from the preparations and movements of the Sikh army, that its commander was intent upon intercepting the relieving force, and had no intention of risking an attack against Ferozepoor.

On the 21st the Commander-in-Chief, having left the baggage of the army, the wounded and the captured guns at Moodkee, protected by two regiments of native infantry, marched at four o'clock in the morning by his left, keeping about three or four miles from the enemy's entrenched position at Ferozeshah, in which the enemy had placed 108 pieces of cannon, protected by breast-works.

A communication had been made during the preceding night with Sir John Littler, informing him of the intended line of march, and desiring him to move out with such a part of his force as would not compromise the safety of his troops and the post.

At half-past one o'clock the Umballah force, having marched across the country disencumbered of every description of baggage, except the reserve ammunition, formed its junction with Sir John Littler's force, who had moved out of Ferozepore with 5,000 men, two regiments of cavalry, and 21 field guns.

This combined operation having been effected, the Commander-in-Chief, with my entire concurrence, made his arrangements for the attack of the enemy's position at Ferozeshah, about four miles distant from the point where our forces had united.

The British force consisted of 16,700 men, and 69 guns, chiefly horse artillery.

The Sikh forces varied from 48,000 to 60,000 men, with 108 pieces of cannon of heavy calibre, in fixed batteries.

You will observe that every soldier who could be brought into our ranks, had, by these combinations from Umballah and Ludiana to Ferozepore, been rendered available; that the force was most efficient, and, notwithstanding the difficulty of the ground, intersected with jungle, the vast superiority of the enemy's well-served artillery, and the breast-works behind which their infantry fought, that our British force, particularly our infantry, surmounted every obstacle, capturing that evening and the following morning 70 pieces of artillery, and the whole of the enemy's camp-equipage and military stores.

I refer to the report of the Commander-in-Chief for the details of this brilliant exploit.

The three attempts of the Sikh army, reinforced by Tej Sing's army, to retake their position in the course of the day, were unavailing.

The Sikh army then retreated on the fords of the Sutlege, disheartened by the capture of its artillery, and the severe loss it had sustained in killed and wounded, and has since crossed over to the other side of the river.

The force thus promptly brought forward from Umballa to the frontier, has proved that it was sufficient for the protective object for which it was prepared, to repulse the treachery of the Maharajah's government, and the arrogance of the Sikh army.

It has further proved, that the military precautions taken were most necessary. It has driven the invading force from our territories, and punished the mutinous soldiery of a most unscrupulous government.

It remains for me to advert to the proclamation, a copy of which forms an enclosure of this despatch. I have endeavoured, in that paper, to give a brief outline of our relations with the Lahore State, and of the circumstances which have preceded the present rupture. That this invasion of our territory by the Sikh army was unprovoked, must be apparent to all; and I considered it right that the forbearance I had shown, with the motives of that forbearance, should be distinctly promulgated.

The caution to the protected chiefs was necessary; for, during many months past, though no overt acts of hostility have been committed, with one exception, there was a feeling very generally prevalent among them favourable to the Lahore government rather than to our's, which evinced itself in a backwardness to afford supplies for our army, and to attend to the requisitions of the agency. This, with the exception of the Maharaja of Puteala, was the case with perhaps all the chiefs.

Immediate measures will be taken for bringing into some order and settlement the States which have been declared confiscated on this side of the Sutlej, when it is hoped that the advantages of the British rule may, by light assessment and judicious arrangements, be made apparent to them.

I have now to conclude this Despatch, by expressing my deep concern for the loss, in the action of the 21st instant, of that most invaluable officer, Major Broadfoot, my political agent for these States. He was wounded, and thrown off his horse, at my side, but I failed in prevailing on him to retire. He remounted his horse, and, shortly afterwards, received a mortal wound in leading on the troops against the battery in our front. I entertained the highest opinion of his abilities. He was second to none in this accomplished service, in every qualification by which the political or military interests of the East India Company could be advanced, and I shall be most gratified if, at a season of more leisure, some special mark of honour can be conferred, by which his great merits and glorious death may be perpetuated.

Major George Broadfoot was the last of three brothers, who held appointments in the Company's army, and all these have fallen in battle, in the service of their country.

Captain Nicolson, assistant political agent from Ferozepore, was also killed in the action of the 21st instant, and was a most able and gallant officer.

Captain Abbott and Lieutenant Lake, assistants under Major Broadfoot, were wounded, and have ever since continued their exertions.

Captain Mills, assistant political agent at Ludiana, took the command of a troop of horse artillery during the action, and has subsequently been of the greatest use by his intelligence and activity.

I owe great obligations to the Chief Secretary to the Government of India, Frederick Currie, esq., who has, during all these various, and sometimes conflicting, duties, in which I have been engaged, given me his sound advice and active aid, sometimes accompanying me in the field, and at all times evincing the coolest judgment, and exhibiting the resources of his experience to the great advantage of the Company's service.

Mr. Cust, of the civil service, confidential assistant to Major Broadfoot, both in the field and in his own immediate department, has shown great intelligence in duties which were new to him, and I notice him as a most promising officer.

Enclosure 1 to No. 11.

EXTRACTS from Lahore Letters of the evening of the 6th instant, received during the night of the 8th instant at Rajpōora.

A LETTER arrived from General Lal Singh Murariya, at Jenota, saying, "Sindar Jowahir Sing used to speak to me about attacking the English: my heart's desire is now accomplished; therefore I hope to be sent against Ferozepore, and will bring

bring over the whole army of the English to the Sikh Government, and Ferozepore will be taken without fighting.

The Ranee said, "Every body talks of conquering Ferozepore, but nobody advances."

EXTRACT of another Letter of the same date.

ON Monday, Tej Singh will join the army, but if in the meantime any disturbance occurs, he will not. He to-day asked the Ranee and Surdars, as they were sending him to make war on the English Government, to give him a written order; the Ranee said, "Why do you constantly ask for written orders? The army regular and irregular marched by the Maharaja's order, and now you are going by the same order." The Ranee asked what the army was plotting as to her? Tej Singh said, that this time the army would, undoubtedly, treat her ill, that she had sent them against the English to get them ruined, but that the army had found out this device, and now said they would "comb"* her, along with Rajah Lal Singh, and imprison the Surdars, and deliver them to Rajah Gorlah Singh, who would settle their accounts.

The heart's desire of Rajah Lal Singh is in any way to commit the troops with the English, by getting any portion of them across the Sutlej, and creating disturbance under the English Government, and if he cannot do this, to seek an opportunity of flight across the Sutlej

Rely on this being correct.

EXTRACT from a Letter received 9th December, dated 5th December 1845, morning, from Lahore

THE Ranee said, that in spite of orders continued for 20 days, the troops did not march.

Tej Singh said, they had none of their old leaders left; they knew certain death was before them, and therefore would not march; that the Sikh troops were abundantly wise, and would not go on to certain death; they would go to Coss; lacs of rupees would be uselessly spent in military stores, carriage and grain, and nothing be done, while the established friendship between the two great powers was broken up after lasting 40 years; Fukier Ayeeyoodan, he said, was a wise and fortunate man to have withdrawn from public business two years ago, and devoted himself to meditating on God, and to have now found an honourable death, leaving an unspeakable reputation here, and obtaining besides a place in Heaven. The Ranee then ordered the Fukeer's Jageer to be resumed, but Deena hath begged it might be left with the family till the present crop was reaped, which was granted.

Enclosure 2, in No. 11.

PROCLAMATION by the GOVERNOR-GENERAL of *India*.

Camp, Lohkuree Khan Ke Serai, December 13, 1845.

The British Government has ever been on terms of friendship with that of the Punjab.

In the year 1809, a treaty of amity and concord was concluded between the British Government and the late Maharaja Runjeet Singh, the conditions of which have always been faithfully observed by the British Government, and were scrupulously fulfilled by the late Maharaja.

The same friendly relations have been maintained with the successors of Maharaja Runjeet Singh by the British Government up to the present time.

Since the death of the late Maharaja Shere Sing, the disorganized state of the Lahore Government has made it incumbent on the Governor-general in Council to adopt precautionary measures for the protection of the British frontier; the nature of these measures, and the cause of their adoption, were, at the time, fully explained to the Lahore Durbar.

Notwithstanding the disorganized state of the Lahore Government during the last

* The cant word of the soldiery for murdering.

last two years, and many most unfriendly proceedings on the part of the Durbar, the Governor-general in Council has continued to evince his desire to maintain the relations of amity and concord which had so long existed between the two states for the mutual interests and happiness of both. He has shown, on every occasion, the utmost forbearance, from consideration to the helpless state of the infant Maharaja Dulleep Sing, whom the British Government had recognized as the successor to the late Maharaja Shere Sing.

The Governor-general in Council sincerely desired to see a strong Sikh Government re-established in the Punjab, able to control its army and to protect its subjects; he had not, up to the present moment, abandoned the hope of seeing that important object effected by the patriotic efforts of the chiefs and people of that country.

The Sikh army recently marched from Lahore towards the British frontier, as it was alleged, by the orders of the Durbar, for the purpose of invading the British territory.

The Governor-general's agent, by direction of the Governor-general, demanded an explanation of this movement, and no reply being returned within a reasonable time, the demand was repeated. The Governor-general, unwilling to believe in the hostile intentions of the Sikh Government, to which no provocation had been given, refrained from taking any measures which might have a tendency to embarrass the Government of the Maharaja, or to induce collision between the two states.

When no reply was given to the repeated demand for explanation, while active military preparations were continued at Lahore, the Governor-general considered it necessary to order the advance of troops towards the frontier to reinforce the frontier posts.

The Sikh army has now, without a shadow of provocation, invaded the British territories.

The Governor-general must, therefore, take measures for effectually protecting the British provinces, for vindicating the authority of the British Government, and for punishing the violators of treaties and the disturbers of the public peace.

The Governor-general hereby declares the possessions of Maharaja Dulleep Sing on the left, or British, bank of the Sutlej, confiscated and annexed to the British territories.

The Governor-general will respect the existing rights of all Jagheerdars, Zemindars and tenants in the said possessions, who, by the course they now pursue, evince their fidelity to the British Government.

The Governor-general hereby calls upon all the Chiefs and Sirdars in the protected territories to co-operate cordially with the British Government for the punishment of the common enemy, and for the maintenance of order in these states. Those of the chiefs who show alacrity and fidelity in the discharge of this duty, which they owe to the protecting power, will find their interests promoted thereby; and those who take a contrary course will be treated as enemies to the British Government, and will be punished accordingly.

The inhabitants of all the territories on the left bank of the Sutlej are hereby directed to abide peaceably in their respective villages, where they will receive efficient protection by the British Government. All parties of men found in armed bands, who can give no satisfactory account of their proceedings, will be treated as disturbers of the public peace.

All subjects of the British Government, and those who possess estates on both sides the River Sutlej, who, by their faithful adherence to the British Government, may be liable to sustain loss, shall be indemnified and secured in all their just rights and privileges.

On the other hand, all subjects of the British Government who shall continue in the service of the Lahore state, and who disobey the Proclamation by not immediately returning to their allegiance, will be liable to have their property on this side the Sutlej confiscated, and themselves declared to be aliens and enemies of the British Government.

By order of the Right honourable the Governor-general of India,

F. Currie,
Secretary to the Government of India,
with the Governor-general.

Enclosure

Enclosure No. 3, in No. 11.

General Sir *Hugh Gough*, Bart, G. C. B., the Commander-in-chief of the Army in India, to the Governor-general

Head Quarters, Army of the Sutlej, Camp,
Moodkee, December 19, 1845.

Right Honourable Sir,

It would be a superfluous form in me to address to you a narrative of the campaign which has opened against the Sikhs, and the successful action of yesterday, since you have in person shared the fatigues and dangers of our army, and witnessed its efforts and privations, but that my position at its head renders this my duty, and it is necessary, from that position, I should place these events on record, for the information of all Europe as well as of all India.

You, Sir, know, but others have to be told, that the sudden and unprovoked aggression of the Sikhs, by crossing the Sutlej with the great proportion of their army, with the avowed intention of attacking Ferozepore in time of profound peace, rendered indispensable, on our side, a series of difficult combinations for the protection of our frontier station, so unjustifiably and so unexpectedly menaced.

From the advanced and salient situation of Ferozepore, and its vicinity to the Sikh capital, its defence against a sudden attack became a difficult operation. It was always possible for the Sikh Government to throw a formidable force upon it before one sufficiently numerous could on our side be collected to support it: but when, upon the 11th instant, it became known at Umballa, where I had established my head-quarters, that this invasion had actually taken place, the efforts to repel it followed each other in rapid succession; * notwithstanding I had the fullest confidence in Major-general Sir John Littler, commanding at Ferozepore, and in the devotedness and gallantry of the troops occupying it.

The troops from the different stations in the Sirhind division were directed to move by forced marches upon Bussean, where by a most judicious arrangement you had directed supplies to be collected within a wonderfully short space of time.

The main portion of the force at Loodiana was withdrawn, and a garrison thrown into the little fortress there. From this central position, already alluded to, both Loodiana and Ferozepore could be supported, and the safety of both places might be considered to be brought, in some measure, within the scope of the contingencies of a general action to be fought for their relief.

All this is soon related; but most harassing have been the marches of the troops in completing this concentration. When their march had been further prolonged to this place, they had moved over a distance of upwards of 150 miles in six days, along roads of heavy sand; their perpetual labour allowing them scarcely time to cook their food, even when they received it, and hardly an hour for repose, before they were called upon for renewed exertions.

When our leading corps reached Wudnee, a small jaghīre of the late Maharajah Shere Singh, its garrison shut the gates of the fort against them; and, as our battering guns were far in the rear, it was determined to reserve it for future chastisement, and we remained content with compelling the village to furnish supplies (it could, however, provide little, except for our overworked cattle), under pain of enduring a cannonade and assault; this it did, without the necessity of firing a shot.

When we reached Wudnee, it was evident that the force before Ferozepore felt the influence of our movements, as we heard that a very large portion of that force had been detached to oppose our further advance, their feeling parties retired on the morning of the 18th before our cavalry piquets, near the village and fort of Moodkee.

Soon after mid-day, the division under Major-general Sir Harry Smith; a brigade of that under Major-general Sir John M'Caskill, and another of that under Major-general Gilbert, with five troops of horse artillery, and two light field batteries under Lieutenant-colonel Brooke, of the horse artillery (Brigadier in command of the artillery force), and the cavalry division, consisting of Her Majesty's

* Sic in orig.

Majesty's 3d light dragoons, the body guard, 4th and 5th light cavalry, and 9th irregular cavalry, took up their encamping ground in front of Moodkee.

The troops were in a state of great exhaustion, principally from the want of water, which was not procurable on the road, when, about three P.M., information was received that the Sikh army was advancing; and the troops had scarcely time to get under arms, and move to their positions, when the fact was ascertained.

I immediately pushed forward the horse artillery and cavalry, directing the infantry, accompanied by the field batteries, to move forward in support. We had not proceeded beyond two miles, when we found the enemy in position. They were said to consist of from 15,000 to 20,000 infantry, about the same force of cavalry, and 40 guns; they evidently had either just taken up this position, or were advancing in order of battle against us.

To resist their attack, and to cover the formation of the infantry, I advanced the cavalry under Brigadiers White, Gough and Mactier, rapidly to the front, in columns of squadrons, and occupied the plain. They were speedily followed by the five troops of horse artillery, under Brigadier Brooke, who took up a forward position, having the cavalry then on his flanks.

The country is a dead flat, covered at short intervals with a low, but, in some places, thick jhow jungle, and dotted with sandy hillocks. The enemy screened their infantry and artillery behind this jungle, and such undulations as the ground afforded; and, whilst our twelve battalions formed from echelon of brigades into line, opened a very severe cannonade upon our advancing troops, which was vigorously replied to by the battery of horse artillery under Brigadier Brooke, which was soon joined by the two light field batteries. The rapid and well-directed fire of our artillery appeared soon to paralyse that of the enemy; and, as it was necessary to complete our infantry dispositions without advancing the artillery too near to the jungle, I directed the cavalry under Brigadiers White and Gough to make a flank movement on the enemy's left, with a view of threatening and turning that flank, if possible. With praiseworthy gallantry, the 3d light dragoons, with the 2d brigade of cavalry, consisting of the body guard and 5th light cavalry, with a portion of the 4th lancers, turned the left of the Sikh army, and, sweeping along the whole rear of its infantry and guns, silenced for a time the latter, and put their numerous cavalry to flight. Whilst this movement was taking place on the enemy's left, I directed the remainder of the 4th lancers, the 9th irregular cavalry, under Brigadier Mactier, with a light field battery, to threaten their right. This manœuvre was also successful. Had not the infantry and guns of the enemy been screened by the jungle, these brilliant charges of the cavalry would have been productive of greater effect.

When the infantry advanced to the attack, Brigadier Brooke rapidly pushed on his horse artillery close to the jungle, and the cannonade was resumed on both sides. The infantry, under Major-generals Sir Harry Smith, Gilbert and Sir John M'Caskill, attacked in echelon of lines the enemy's infantry, almost invisible amongst wood and the approaching darkness of night. The opposition of the enemy was such as might have been expected from troops who had every thing at stake, and who had long vaunted of being irresistible. Their ample and extended line, from their great superiority of numbers, far outflanked ours; but this was counteracted by the flank movements of our cavalry. The attack of the infantry now commenced; and the roll of fire from this powerful arm soon convinced the Sikh army, that they had met with a foe they little expected; and their whole force was driven from position after position with great slaughter, and the loss of seventeen pieces of artillery, some of them of heavy calibre; our infantry, using that never-failing weapon, the bayonet, whenever the enemy stood. Night only saved them from worse disaster, for this stout conflict was maintained during an hour and a half of dim starlight, amidst a cloud of dust from the sandy plain, which yet more obscured every object.

I regret to say, this gallant and successful attack was attended with considerable loss; the force bivouacked upon the field for some hours, and only returned to its encampment after ascertaining that it had no enemy before it, and that night prevented the possibility of a regular advance in pursuit.

I beg to congratulate you, Right Honourable Sir, on this first defeat of our invaders by the army I have the honour to command. The perseverance by which success was attained you personally witnessed; and the troops I am sure felt proud of the self-devotion with which their Governor-general exposed himself to every danger amongst them. I before said that our loss has been severe; it could not

not be esteemed small if we had no other to record, when I mention that, towards the conclusion of the affair, Major-general Sir Robert Sale, to whom India and England are so much indebted, had his left thigh shattered by a grape shot, and that the wound has since proved mortal. Sir John M'Caskill, an old and valued officer, who has done his country much good service, received a ball through his chest, on the advance of his division, and immediately expired. Brigadiers Bolton and Mactier, and Lieutenant-colonels Bunbury and Byrne, and other valuable officers, are amongst the wounded. These losses our country and the service will deplore, but not consider unavailing, when Ferozepore shall be rescued from the invader, and the insult to our territory and rule fitly punished.

I have every reason to be proud of, and gratified with, the exertions of the whole of the officers and troops of this army on this arduous occasion; with the conduct and dispositions of the generals of divisions, the brigadiers of the several arms, the general, personal, divisional and brigade staff, and the commanding officers of regiments; but this dispatch is necessarily completed in the utmost haste, and in the midst of most important operations; I must, therefore, reserve to a future opportunity the pleasing task of bringing especially and by name to the notice of Government the particular merits of individual officers.

I cannot, however, refrain from expressing my deep sense of obligation to the heads of the two principal departments. Major-general Sir James Lumley was unfortunately prevented by severe sickness from taking part in the active duties of this great crisis; Major Grant, Deputy Adjutant General, therefore, supplied his place, and it is my duty to say how ably this has been done, and how great a loss I have endured by being deprived, for the present, of his services, in consequence of two wounds which he received whilst urging on the infantry to the final and decisive attack of the enemy's batteries. Neither must I fail to record the valuable aid which has upon this, as on a former campaign, been afforded me by the Quartermaster General, Lieutenant-Colonel Garden; his departmental arrangements demand my highest commendation. Major-General Sir Harry Smith having been appointed to the command of a division, the charge of his office as Adjutant General of Her Majesty's Forces devolved upon Lieutenant Colonel Barr, who, not only in the performance of these duties, but in every way in which assistance can be rendered in active operations, has been to me a most valuable Staff Officer.

I have to thank you, Right Honourable Sir, for having placed at my disposal the services of the officers of your staff, and to thank them for the valuable assistance they afforded me on this arduous day. It shall be my pleasing duty to mention them individually, with the officers of my own personal staff, in the recommendation list I shall have the honour of forwarding, at an early date, to Government.

I have, &c.

H. Gough,
General, Commander-in-Chief.

RETURN of KILLED and WOUNDED of the Army of the Sutlej under the command of his Excellency General Sir Hugh Gough, G. C. B., Commander-in-Chief, in the action fought at Moodkee, on the 18th of December 1845.

Camp, Sultan Khan Wallah, 26 December 1845.

Personal Staff.—2 officers killed; 2 officers wounded.

General Staff.—1 officer killed; 1 officer wounded.

Total.—3 officers killed; 3 officers wounded.

ARTILLERY DIVISION.

1st Brigade of Horse Artillery.—1 officer, 1 serjeant, 7 rank and file, 24 horses, killed; 3 officers, 2 serjeants, 10 rank and file, 2 lascars, 1 syce, 18 horses, wounded.

Detachment 3d Brigade Horse Artillery.—2 serjeants, 4 rank and file, 5 syces and grasscutters, 12 horses, killed; 1 officer, 1 native officer, 9 rank and file, 9 lascars, 6 syces, 2 horses, wounded.

3d Company 4th Battalion and No. 7 Light Field Battery.—1 officer, 1 serjeant, 1 syce driver, 4 horses, killed; 2 horses wounded.

2d Company 6th Battalion and No. 9 Light Field Battery.—2 rank and file, 2 syce drivers, 5 horses, killed; 3 rank and file, 2 syce drivers, 3 horses wounded.

Total.—2 officers, 4 serjeants, 13 rank and file, 5 syces and grasscutter, 3 syce drivers, 45 horses, killed; 4 officers, 1 native officer, 2 serjeants, 22 rank and file, 11 lascars, 2 syce drivers, 7 syces, 25 horses, wounded.

CAVALRY DIVISION.

Divisional and Brigade Staff—2 officers wounded.

Her Majesty's 3d Light Dragoons—2 officers, 5 serjeants, 1 trumpeter, 52 rank and file, 104 horses, killed; 3 officers, 3 serjeants, 29 rank and file, 23 horses, wounded.

Governor-General's Body-guard—1 officer, 6 rank and file, 15 horses, killed; 2 officers 2 serjeants, 15 rank and file, 14 horses, wounded.

4th Regiment Light Cavalry (Lancers)—2 rank and file, 1 horse, killed; 4 rank and file, 2 horses, wounded.

5th Regiment Light Cavalry—8 rank and file, 22 horses, killed; 2 officers, 1 native officer, 1 trumpeter, 15 rank and file, 15 horses, wounded.

9th Regiment Irregular Cavalry—1 havildar, 3 rank and file, 22 horses, killed; 1 havildar, 7 rank and file, 9 horses wounded.

Total—3 officers, 6 serjeants or havildars, 1 trumpeter, 71 rank and file, 164 horses, killed; 9 officers, 1 native officer, 6 serjeants or havildars, 1 trumpeter, 70 rank and file, 63 horses, wounded.

1st INFANTRY DIVISION.

Divisional and Brigade Staff—1 officer killed; 4 officers, 1 horse, wounded.

1st Brigade.

Her Majesty's 31st Foot—1 officer, 2 serjeants, 22 rank and file, killed; 7 officers, 4 serjeants, 121 rank and file, 2 horses, wounded.

47th Regiment Native Infantry—6 rank and file killed; 1 officer, 8 rank and file, wounded.

2d Brigade.

Her Majesty's 50th Foot—1 officer, 11 rank and file, killed, 5 officers, 5 serjeants, 87 rank and file, 1 horse, wounded.

42d Regiment Native Light Infantry—1 officer, 1 havildar, 25 rank and file, killed; 6 officer, 1 native officer, 5 havildars, 55 rank and file, wounded.

48th Regiment Native Light Infantry—1 native officer, 1 havildar, 5 rank and file, killed; 1 native officer, 6 havildars, 28 rank and file, wounded.

TOTAL—4 officers, 1 native officer, 4 serjeants or havildars, 69 rank and file, killed; 18 officers, 2 native officers, 20 serjeants or havildars, 299 rank and file, 4 horses, wounded.

2d INFANTRY DIVISION.

Divisional and Brigade Staff—1 horse killed; 1 officer wounded.

3d Brigade.

45th Regiment Native Infantry—1 rank and file killed; 1 rank and file wounded.

2d Regiment Native Grenadiers—14 rank and file killed; 3 officers, 3 native officers, 3 havildars, 48 rank and file, wounded.

4th Brigade.

16th Regiment Native Grenadiers—1 native officer, 2 rank and file, killed; 2 native officers, 7 havildars, 32 rank and file, wounded.

TOTAL—1 native officer, 17 rank and file, 1 horse, killed; 4 officers, 5 native officers, 10 havildars, 81 syces, wounded.

3d INFANTRY DIVISION.

Divisional and Brigade Staff—1 officer killed.

5th Brigade.

Her Majesty's 9th Foot—2 rank and file, killed; 1 officer, 2 serjeants, 47 rank and file, wounded.

26th Native Light Infantry—1 havildar, 2 rank and file, wounded.

73d Native Light Infantry—1 rank and file, killed; 1 havildar, 5 rank and file, 1 lascars, wounded.

6th Brigade.

Her Majesty's 80th Foot—1 serjeant, 3 rank and file, killed; 1 officer, 19 rank and file, wounded.

TOTAL—1 officer, 1 serjeant, 6 rank and file, killed; 2 officers, 4 havildars, 73 rank and file, 1 lascars, wounded.

ABSTRACT.

Personal Staff—2 officers killed; 2 officers wounded.

General Staff—1 officer killed; 1 officer wounded.

Artillery Division—2 officers, 4 serjeants, 13 rank and file, 5 syces and grasscutters, 3 syce drivers, 45 horses, killed; 4 officers, 1 native officer, 2 serjeants, 22 syces and grasscutters, 11 lascars, 2 syce drivers, 7 syces, 25 horses, wounded.

Cavalry Division—3 officers, 6 serjeants or havildars, 1 trumpeter, 71 rank and file, 164 horses, killed; 9 officers, 1 native officer, 6 serjeants or havildars, 1 trumpeter, 70 rank and file, 63 horses, wounded.

1st Infantry Division—4 officers, 1 native officer, 4 serjeants or havildars, 69 rank and file,

file, killed; 18 officers, 2 native officers, 20 serjeants or havildars, 299 rank and file, 4 horses, wounded.

2d Infantry Division—1 native officer, 17 rank and file, 1 horse, killed; 4 officers, 5 native officers, 10 serjeants or havildars, 81 rank and file, wounded.

3d Infantry Division—1 officer, 1 serjeant or havildar, 6 rank and file, killed; 1 officer, 4 serjeants or havildars, 73 rank and file, 1 lascar, wounded.

TOTAL—13 officers, 2 native officers, 15 serjeants or havildars, 1 trumpeter, 176 rank and file, 5 syces and grasscutters, 3 syce drivers, 210 horses, killed; 39 officers, 9 native officers, 42 serjeants or havildars, 1 trumpeter, 545 rank and file, 12 lascars, 2 syce drivers, 7 syces, 92 horses, wounded.

European officers, 13; native officers, 2; non-commissioned officers, drummers, rank and file, 192; syces, &c., 8, killed.

GRAND TOTAL, 215.

European officers, 39; native officers, 9; non-commissioned officers, drummers, rank and file, 588, syces, &c., 21; wounded.

GRAND TOTAL, 657.

Grand total of all ranks, killed and wounded, 872

LIST OF OFFICERS KILLED AND WOUNDED.

Head Quarters' Staff—Major General Sir R. H. Sale, G.C.B. Quartermaster-General Queen's troops, killed; Major W. R. Herries, A.D.C. to the Governor-General, killed; Captain J. Munro, killed. Major P. Grant, Deputy Adjutant-General of the army, dangerously wounded; Captain G. E. Hillier, A.D.C. to the Governor-General, severely wounded; Captain H. B. Edwardes, A.D.C. to the Commander-in-Chief, slightly wounded.

Artillery Division—Captain Jasper Trower, killed; First Lieutenant R. Pollock, killed. Captain F. Dashwood, severely wounded, since dead; First Lieutenant C. V. Cox, slightly wounded; First Lieutenant C. A. Wheelwright, wounded; First Lieutenant C. Bowie, slightly wounded.

Cavalry Division Staff—Brigadier W. Mactier, severely; Brevet Captain and Brigade Major T. L. Harrington, severely; Volunteer Mr. A. Alexander, A.D.C. to Brigadier Gough, severely.

Her Majesty's 3d Light Dragoons—Brevet Captain G. Newton, killed; Cornet E. Worley, killed; Lieutenant S. Fisher, severely wounded; Lieutenant E. G. Swinton, severely wounded; Lieutenant E. B. Cureton, severely wounded.

Governor-General's Body Guard—Lieutenant W. Fisher, killed. Brevet Captain C. D. Dawkins, severely wounded; Lieutenant G. R. Taylor, very severely wounded.

5th Light Cavalry—Major Alexander, slightly; Lieutenant R. Christie, slightly.

First Division of Infantry.

Divisional and Brigade Staff—Captain Van Homrigh, 48th Native Infantry, Acting A.D.C., killed. Brigadier S. Bolton, C.B., dangerously wounded; Brigadier H. M. Wheeler, C.B., severely wounded; Captain E. Lugard, Deputy Assistant Adjutant-General, slightly wounded; Lieutenant Nicolls, Engineers, Acting A.D.C., severely wounded.

First Brigade

Her Majesty's 31st Foot—Lieutenant H. W. Hart, killed; Lieutenant-Colonel J. Byrne, severely wounded; Captain W. Willes, dangerously wounded; Captain T. Bulkeley, dangerously wounded; Captain G. D. Young, dangerously wounded; Lieutenant J. L. R. Pollard, slightly wounded; Lieutenant J. Brenchley, mortally wounded, since dead; Assistant Surgeon R. B. Gahan, 9th Foot, dangerously wounded.

47th Native Infantry—1 wounded; Lieutenant J. F. Pogson, dangerously.

Second Brigade.

Her Majesty's 50th Foot—Assistant Surgeon A. Graydon, killed. Captain H. Needham, severely wounded; Lieutenant W. S. Carter, slightly wounded; Lieutenant J. C. Bishop, severely wounded; Lieutenant R. E. De Montmorency, severe contusion; Lieutenant C. E. Young, severely wounded.

42d Native Light Infantry—Lieutenant J. Spence, killed. Ensign E. Van Holt slightly wounded.

Second Infantry Division.

Divisional and Brigade Staff—Major R. Codrington, Assistant Quartermaster-general, severely wounded.

Second Native Grenadiers—Captain T. W. Bolton, severely wounded. Captain J. Gifford, severely wounded; Ensign A. D. Warden, severe contusion.

Third Infantry Division.

Divisional and Brigade Staff—Major General Sir J. M'Caskill, K.C.B. and K.H., killed.

Fifth Brigade.

Her Majesty's 9th Foot—Ensign J. Hanham, slightly wounded.

Sixth Brigade.

Her Majesty's 80th Foot—Lieutenant-Colonel T. Bunbury, slightly wounded.

P Grant,

Major, Deputy Adjutant General of the Army.

RETURN of ORDNANCE captured from the Sikh Army, at the battle of *Moodkee*, on the 18th of December 1845, by the Army of the *Sutlege*, under the command of His Excellency Sir HUGH GOUGH, G.C.B. Commander-in-Chief.

6 Brass guns	-	-	4 in. 6-tenths	-	-	12 pounds.
1 Brass howitzer	-	-	6 in. 5-tenths	-	-	6½ pounds.
4 Brass guns	-	-	4 in. 2-tenths	-	-	9 pounds.
3 Brass guns	-	-	3 in. 6-tenths	-	-	6 pounds,
1 Brass gun	-	-	2 in. 9-tenths	-	-	3 pounder.

REMARKS.

Total number of guns captured, 15. It was impossible to compute the quantity of metal in these guns, but it was evident that they were much heavier than those of a similar calibre in the Bengal artillery.

The carriages were all in good repair, with the exception of one or two struck by our shot. The whole were destroyed, and the guns left in the fort of Moodkee.

Four more guns reported to have been dismounted by the men of the horse artillery, and left on the field from want of means to bring them away.

(signed) *Geo. Brooke,*

Brigadier, Commanding Artillery, Army of the Sutlej.

Enclosure No. 4, in No. 11.

The COMMANDER-IN-CHIEF to the GOVERNOR-GENERAL of INDIA.

Camp, Ferozeshah, December 22d, 1845.

Right Honourable Sir,

I HAVE again to congratulate you on the success of our arms. A grand battle has been fought against the Sikh army at this place, and, by the blessing of Divine Providence, victory has been won, by the valour of our troops, against odds, and under circumstances which will render this action one of the most memorable in the page of Indian history.

After the combat of the 18th, at Moodkee, information was received the following day that the enemy, in increased numbers, were moving on to attack us. A line of defence was taken up in advance of our encampment, and dispositions made to repel assault, but the day wore away without their appearing, and at night we had the satisfaction of being reinforced by Her Majesty's 29th foot, and the East India Company's 1st European light infantry, with our small division of heavy guns.

I must here allude to a circumstance most favourable to our efforts in the field. On this evening, in addition to the valuable counsel with which you had in every emergency before favoured me, you were pleased yet further to strengthen my hands by kindly offering your services as second in command in my army. I need hardly say with how much pleasure the offer was accepted.

On the morning of the 21st the offensive was resumed; our columns of all arms debouched four miles on the road to Ferozeshah, where it was known that the enemy, posted in great force and with a most formidable artillery, had remained since the action of the 18th, incessantly employed in entrenching his position. Instead of advancing to the direct attack of their formidable works, our force manoeuvred to their right: the second and fourth divisions of Infantry, in front, supported by the first division and Cavalry in second line, continued to defile for some time out of cannon shot between the Sikhs and Ferozepore. The desired effect was not long delayed, a cloud of dust was seen on our left, and, according to the instructions sent him on the preceding evening, Major-general Sir John Littler, with his division, availing himself of the offered opportunity, was discovered in full march to unite

unite his force with mine. The junction was soon effected, and thus was accomplished one of the great objects of all our harassing marches and privations, in the relief of this division of our army from the blockade of the numerous forces by which it was surrounded.

Dispositions were now made for an united attack on the enemy's entrenched camp. We found it to be a parallelogram, of about a mile in length and half a mile in breadth, including within its area the strong village of Ferozeshah; the shorter sides looking towards the Sutlej and Moodkee, and the longer towards Ferozepore and the open country. We moved against the last-named face, the ground in front of which was like the Sikh position in Moodkee, covered with low jungle.

The divisions of Major-general Sir John Littler, Brigadier Wallace (who had succeeded Major-general Sir John McCaskill), and Major-general Gilbert, deployed into line, having in the centre our whole force of artillery, with the exception of three troops of horse artillery, one on either flank and one in support, to be moved as occasion required. Major-general Sir Harry Smith's division, and our small cavalry force, moved in second line, having a brigade in reserve to cover each wing.

I should here observe, that I committed the charge and direction of the left wing to Lieutenant-general Sir Henry Hardinge, while I personally conducted the right.

A very heavy cannonade was opened by the enemy, who had dispersed over their position upwards of 100 guns, more than 40 of which were of battering calibre. These kept up a heavy and well-directed fire, which the practice of our far less numerous artillery, of much lighter metal, checked in some degree, but could not silence; finally, in the face of a storm of shot and shell, our infantry advanced and carried these formidable entrenchments: they threw themselves upon the guns, and with matchless gallantry wrested them from the enemy; but, when the batteries were partially within our grasp, our soldiery had to face such a fire of musketry from the Sikh infantry, arrayed behind their guns, that, in spite of the most heroic efforts, a portion only of the entrenchment could be carried. Night fell while the conflict was every where raging.

Although I now brought up Major-general Sir Harry Smith's division, and he captured and long retained another point of the position, and Her Majesty's 3d light dragoons charged and took some of the most formidable batteries, yet the enemy remained in possession of a considerable portion of the great quadrangle, whilst our troops, intermingled with theirs, kept possession of the remainder, and finally bivouacked upon it, exhausted by their gallant efforts, greatly reduced in numbers, and suffering extremely from thirst, yet animated by an indomitable spirit. In this state of things the long night wore away.

Near the middle of it, one of their heavy guns was advanced, and played with deadly effect upon our troops. Lieutenant-general Sir Henry Hardinge immediately formed Her Majesty's 80th foot and the 1st European light infantry. They were led to the attack by their commanding officers, and animated in their exertions by Lieutenant-colonel Wood (aide-de-camp to the Lieutenant-general), who was wounded in the outset, the 80th captured the gun, and the enemy, dismayed by this counter-check, did not venture to press on further. During the whole night, however, they continued to harass our troops by fire of artillery, whenever moonlight discovered our position.

But, with day-light of the 22d, came retribution. Our infantry formed line, supported on both flanks by horse artillery, whilst a fire was opened from our centre by such of our heavy guns as remained effective, aided by a flight of rockets. A masked battery played with great effect upon this point, dismounting our pieces, and blowing up our tumbrils. At this moment Lieutenant-General Sir Henry Hardinge placed himself at the head of the left, whilst I rode at the head of the right wing.

Our line advanced, and, unchecked by the enemy's fire, drove them rapidly out of the village of Ferozeshah and their encampment, then, changing front to its left, on its centre, our force continued to sweep the camp, bearing down all opposition, and dislodged the enemy from their whole position. The line then halted, as if on a day of manœuvre, receiving its two leaders as they rode along its front, with a gratifying cheer, and displaying the captured standards of the Khalsa army. We had taken upwards of 73 pieces of cannon, and were masters of the whole field.

The force assumed a position on the ground which it had won, but even here its labours were not to cease ; in the course of two hours, Sirdar Tej Sing, who had commanded in the great last battle, brought up from the vicinity of Ferozepore fresh battalions and a large field of artillery, supported by 30,000 Ghorepurras, hitherto encamped near the river. He drove in our cavalry parties, and made strenuous efforts to regain the position at Ferozeshah ; this attempt was defeated ; but its failure had scarcely become manifest, when the Sirdar renewed the contest with more troops and a large artillery. He commenced by a combination against our left flank ; and, when this was frustrated, made such a demonstration against the captured village as compelled us to change our whole front to the right ; his guns during this manœuvre maintained an incessant fire, whilst our artillery ammunition being completely expended in these protracted combats, we were unable to answer him with a single shot.

I now directed our almost exhausted cavalry to threaten both flanks at once, preparing the infantry to advance in support, which apparently caused him suddenly to cease his fire, and to abandon the field.

For twenty-four hours not a Sikh has appeared in our front. The remains of the Khalsa army are said to be in full retreat across the Sutlej, at Nuggurputhur and Tilla, or marching up its left bank towards Hurreekeeputhur, in the greatest confusion and dismay. Of their chiefs, Bahadur Sing is killed ; Lal Sing is said to be wounded ; Mehtab Sing, Adjoodhia Pershad, and Tej Sing, the late governor of Peshawur, have fled with precipitation. Their camp is the scene of the most awful carnage, and they have abandoned large stores of grain, camp equipage, and ammunition.

Thus has apparently terminated this unprovoked and criminal invasion of the peaceful provinces under British protection.

On the conclusion of such a narrative as I have given, it is surely superfluous in me to say, that I am, and shall be to the last moment of my existence, proud of the army which I had the honour to command on the 21st and 22d instant ; to their gallant exertions I owe the satisfaction of seeing such a victory achieved, and the glory of having my own name associated with it.

The loss of this army has been heavy ; how could a hope be formed that it should be otherwise ; within thirty hours this force stormed an entrenched camp, fought a general action, and sustained two considerable combats with the enemy ; within four days it has dislodged from their positions, on the left bank of the Sutlej, 60,000 Sikh soldiers, supported by upwards of 150 pieces of cannon, 108 of which the enemy acknowledge to have lost, and 91 of which are in our possession.

In addition to our losses in the battle, the captured camp was found to be everywhere protected by charged mines, by the successive springing of which many brave officers and men have been destroyed.

I must bear testimony to the valour displayed in these actions by the whole of the regiments of Her Majesty's service employed, and the East India Company's 1st European light infantry ; the native force seconded in a most spirited manner their gallant conduct.

To Lieutenant-General Sir Henry Hardinge, my second in command, my warmest thanks are due, not only for his personal exertions, which were conspicuous to all, but for the able assistance he afforded me through all the eventful scenes of this well-fought action. To the general and my personal staff I feel deeply indebted for their unceasing exertions. Majors-Generals Sir Harry Smith, Gilbert and Sir John Littler and Brigadier Wallace (who nobly fell in the hour of victory), fully realized the high expectations I had formed of their conduct as leaders of divisions.

With the brigadiers, the commandant of artillery, and the chief engineer, the commanding officers of regiments, and with the departmental staff, I was also greatly pleased, their exertions were most unremitting, and highly praiseworthy.

The reports I have received from the Generals of divisions of Infantry, the Brigadiers of Cavalry, and the Commandant of Artillery, speak in the highest terms of their respective staff ; and it is my intention, as soon as possible, to forward to you, Right Honourable Sir, a list containing the names of all the officers I have just enumerated, together with the names of all those who appear to me specially to merit approbation and favour.

The hurried manner in which I am forced to collect information, and prepare these numerous details, may, I fear, cause the omission of the names of some officers.

officers well deserving of notice ; but I shall not fail to send in a supplementary list when I can assure myself of their individual merits, as it would be most painful to me to feel that I had not done justice to any one of the brave men who shared with me the glories and dangers of this arduous conflict.

I beg now to mention the conduct of an illustrious nobleman, Count Ravensburg, who, with the officers of his suite, Counts Greuben and Oriola, did us the honour to accompany the force during our operations. They were present at Moodkee, and in this great battle. It is with the greatest pleasure and sincerity I can bear my testimony to their gallant conduct on these occasions, worthy of the high reputation in arms of their countrymen, and of the great ancestor of one of them. I lament to add, that Dr. Hoffmeister, the medical attendant on the count, was killed in the action of the 21st instant.

I herewith inclose the report of Lieutenant-general the Right honourable Sir H. Hardinge, second in command.

I have, &c.
(signed) *H. Gough*,
General, Commander-in-Chief, East Indies.

RETURN of KILLED and WOUNDED of the Army of the *Sutlej*, under the Command of His Excellency General Sir *Hugh Gough*, Bart., G. C. B., Commander-in-Chief, in the Actions fought near Ferozeshah, on the 21st and 22d of December 1845.

Camp, Sultan Khan Wallah,
27 December 1845.

Personal Staff—2 European officers wounded.
General Staff—1 European officer killed ; 1 ditto wounded
TOTAL—1 European officer killed ; 3 European officers wounded.

ARTILLERY DIVISION.

1st Brigade of Horse Artillery—1 European officer, 7 rank and file, 3 lascars, 35 regimental horses, killed ; 4 serjeants, 28 rank and file, 3 lascars, 1 syce, 37 regimental horses, wounded.

3d Brigade of Horse Artillery—1 European officer, 1 serjeant, 14 rank and file, 2 syces, 70 regimental horses, killed, 1 European officer, 3 serjeants, 18 rank and file, 3 lascars, 1 syce, 18 regimental horses, wounded.

3d Company 4th Battalion, Foot Artillery, with No 7 Light Field Battery—2 rank and file, 2 regimental horses, killed ; 1 European officer, 1 rank and file, 1 syce, 16 regimental horses, wounded

2d Company 6th Battalion, with No. 9 Light Field Battery—1 rank and file, 1 lascar, 10 regimental horses, killed, 1 serjeant, 3 regimental horses, wounded.

4th Company 6th Battalion, with No. 19 Light Field Battery—1 rank and file, 1 lascar, 2 syces, killed, 1 lascar, wounded.

2d Company 7th Battalion, No. 6 Light Field Battery—2 native officers, 1 rank and file, 1 syce, 1 regimental horse, killed ; 1 rank and file, 1 syce, 1 regimental horse, wounded

2d and 4th Companies 4th Battalion, with Siege Guns—2 warrant officers, 2 serjeants, 13 rank and file, wounded.

Divisional and Brigade Staff—2 European officers wounded.

TOTAL—2 European officers, 2 native officers, 1 serjeant, 26 rank and file, 4 lascars, 4 syces, 2 syces and grass-cutters, 118 regimental horses, killed, 4 European officers, 2 warrant officers, 10 serjeants, 61 rank and file, 7 lascars, 2 syce drivers, 2 syces or grass-cutters, 75 horses, wounded.

CAVALRY DIVISION.

Divisional and Brigade Staff—3 European officers wounded.

First Brigade

Her Majesty's 3d Light Dragoons—3 European officers, 2 serjeants, 1 trumpeter, 54 rank and file, 8 officers' chargers, killed ; 6 European officers, 6 serjeants, 80 rank and file, 60 regimental horses, wounded.

8th Regiment of Light Cavalry—1 havildar, 3 rank and file, 1 officer's charger, 20 regimental horses, killed ; 1 warrant officer, 1 havildar, 7 rank and file, 12 regimental horses, wounded.

9th Regiment Irregular Cavalry—2 native officers, 8 rank and file, 36 regimental horses, killed, 11 rank and file, 15 regimental horses, wounded.

Second Brigade.

Governor General's Body Guard—10 regimental horses, killed ; 2 rank and file, wounded
5th Regiment of Light Cavalry—1 havildar, 8 regimental horses, killed, 2 rank and file, wounded.

PAPERS RESPECTING THE LATE HOSTILITIES

8th Regiment of Irregular Cavalry—1 rank and file, 11 regimental horses, killed; 4 rank and file, 5 regimental horses, wounded.

Third Brigade.

4th Regiment Light Cavalry, Lancers—9 rank and file, 61 regimental horses, killed; 1 native officer, 1 havildar, 6 rank and file, 2 officers' chargers, wounded.

3d Regiment Irregular Cavalry—3 rank and file, 17 regimental horses, killed; 1 native officer, 1 havildar, 13 rank and file, 20 regimental horses, wounded.

TOTAL—3 European officers, 2 native officers, 4 serjeants or havildars, 1 trumpeter, 78 rank and file, 9 officers' chargers, 163 regimental horses, killed; 9 European officers, 2 native officers, 1 warrant officer, 9 serjeants or havildars, 133 rank and file, 2 officers' chargers, 112 regimental horses, wounded.

1st INFANTRY DIVISION.

1st Brigade.

Her Majesty's 31st Foot—2 European officers, 2 serjeants, 1 drummer, 36 rank and file, 1 officer's charger, killed; 6 European officers, 4 serjeants, 92 rank and file, 1 officer's charger, wounded.

24th Regiment Native Infantry—1 European officer, 3 native officers, 4 rank and file, killed; 1 European officer, 2 havildars, 24 rank and file, wounded.

47th Regiment Native Infantry—9 rank and file killed; 2 havildars, 1 drummer, 23 rank and file, wounded.

2d Brigade.

Her Majesty's 50th Foot—27 rank and file, 2 officers' chargers, killed; 6 European officers, 5 serjeants, 3 drummers, 83 rank and file, wounded.

42d Regiment Native Light Infantry—1 European officer, 2 native officers, 2 havildars, 10 rank and file, killed; 2 European officers, 5 havildars, 4 drummers, 31 rank and file, wounded.

48th Native Infantry—1 native officer, 1 havildar, 13 rank and file, 3 officers' chargers, killed; 2 European officers, 3 havildars, 46 rank and file, wounded.

Divisional and Brigade Staff—3 officers' chargers killed; 3 European officers, 1 officer's charger, wounded.

TOTAL—4 European officers, 6 native officers, 5 serjeants or havildars, 1 drummer, 119 rank and file, 9 officers' chargers, killed; 19 European officers, 21 serjeants or havildars, 8 drummers, 299 rank and file, 2 officers' chargers, wounded.

SECOND INFANTRY DIVISION.

Divisional and Brigade Staff—2 European officers, 3 officers' chargers, killed; 1 European officer, 1 officer's charger, wounded.

Third Brigade.

Her Majesty's 29th Foot—2 European officers, 1 serjeant, 67 rank and file, 2 officers' chargers, killed; 2 European officers, 6 serjeants, 4 drummers, 106 rank and file, 1 officer's charger, wounded.

45th Regiment of Native Infantry—2 native officers, 14 rank and file, killed; 1 European officer, 1 native officer, 1 havildar, 30 rank and file, wounded.

Fourth Brigade.

1st European Light Infantry—2 European officers, 2 serjeants, 43 rank and file, 1 officer's charger, killed; 6 European officers, 12 serjeants, 4 drummers, 135 rank and file, wounded.

2d Regiment Native Infantry (Grenadiers)—1 European officer, 1 native officer, 1 havildar, 13 rank and file, killed; 2 European officers, 3 native officers, 2 havildars, 43 rank and file, wounded.

16th Regiment Native Infantry (Grenadiers)—1 European officer, 2 havildars, 11 rank and file, killed; 1 European officer, 5 native officers, 5 havildars, 51 rank and file, wounded.

TOTAL—8 European officers, 3 native officers, 6 serjeants or havildars, 150 rank and file, 6 officers' chargers, killed; 13 European officers, 9 native officers, 26 serjeants or havildars, 8 drummers, 365 rank and file, 2 officers' chargers, wounded.

THIRD INFANTRY DIVISION.

Divisional and Brigade Staff—1 European officer killed.

Fifth Brigade.

Her Majesty's 9th Foot—3 European officers, 1 serjeant, 66 rank and file, killed; 6 European officers, 5 serjeants, 1 drummer, 191 rank and file, wounded.

26th Regiment Native Infantry—2 European officers, 1 havildar, 1 drummer, 7 rank and file, killed; 1 native officer, 2 havildars, 42 rank and file, wounded.

73d Regiment Native Infantry—1 European officer, 1 native officer, 19 rank and file, killed; 1 native officer, 5 havildars, 30 rank and file, 1 lascar, wounded.

Sixth Brigade.

Her Majesty's 80th foot—4 European officers, 1 drummer, 19 rank and file, 2 officers' chargers, killed; 3 European officers, 1 serjeant, 1 drummer, 52 rank and file, wounded.

TOTAL—

TOTAL—11 European officers, 1 native officer, 2 serjeants or havildars, 2 drummers, 111 rank and file, 2 officers' chargers, killed; 9 European officers, 2 native officers, 13 serjeants or havildars, 2 drummers, 315 rank and file, 1 lascar, wounded.

FOURTH INFANTRY DIVISION.

Divisional and Brigade Staff—1 European officer, 5 officers' chargers, killed; 2 native officers wounded.

7th Brigade.

Her Majesty's 62d Foot—7 European officers, 6 serjeants, 76 rank and file, 1 officer's charger, killed; 10 European officers, 5 serjeants, 2 drummers, 154 rank and file, wounded.

12th Regiment of Native Infantry—1 native officer, 10 rank and file, killed; 4 European officers, 5 havildars, 2 drummers, 59 rank and file, wounded.

14th Regiment of Native Infantry—1 native officer, 2 havildars, 12 rank and file, 1 officer's charger, killed; 5 European officers, 1 native officer, 4 havildars, 59 rank and file, wounded.

8th Brigade.

33d Regiment of Native Infantry—1 native officer, 1 havildar, 6 rank and file, killed; 3 native officers, 5 havildars, 1 drummer, 31 rank and file, wounded.

44th Regiment of Native Infantry—9 rank and file killed; 1 native officer, 1 havildar, 14 rank and file, wounded.

54th Regiment of Native Infantry—2 rank and file killed; 6 rank and file wounded.

TOTAL—8 European officers, 3 native officers, 9 serjeants or havildars, 115 rank and file, 7 officers' chargers, killed; 21 European officers, 5 native officers, 20 serjeants or havildars, 5 drummers, 323 rank and file, wounded.

ABSTRACT.

Staff—1 European officer, killed; 3 European officers, wounded.

Artillery Division—2 European officers, 2 native officers, 1 serjeant, 26 rank and file, 4 lascars, 4 syce drivers, 2 syce grass-cutters, 118 regimental horses, killed; 4 European officers, 2 warrant officers, 10 serjeants, 61 rank and file, 7 lascars, 2 syce drivers, 2 syce grass-cutters, 75 regimental horses, wounded.

Cavalry—3 European officers, 2 native officers, 4 havildars, 1 trumpeter, 78 rank and file, 9 officers' chargers, 163 regimental officers, killed; 9 European officers, 2 native officers, 1 warrant officer, 9 havildars, 133 rank and file, 2 officers' chargers, 112 regimental horses, wounded.

1st Infantry—4 European officers, 6 native officers, 5 serjeants or havildars, 1 drummer, 119 rank and file, 9 officers' chargers, killed; 19 European officers, 21 serjeants or havildars, 8 drummers, 299 rank and file, 2 officers' chargers, wounded.

2d Infantry—8 European officers, 3 native officers, 6 serjeants or havildars, 150 rank and file, 6 officers' chargers, killed; 13 European officers, 9 native officers, 26 serjeants or havildars, 8 drummers, 365 rank and file, 2 officers' chargers, wounded.

3d Infantry—11 European officers, 1 native officer, 2 serjeants or havildars, 2 drummers, 111 rank and file, 2 officers' chargers, killed; 9 European officers, 2 native officers, 13 serjeants or havildars, 2 drummers, 315 rank and file, 1 lascar, wounded.

4th Infantry—8 European officers, 3 native officers, 9 serjeants or havildars, 115 rank and file, 7 officers' chargers, killed; 21 European officers, 5 native officers, 20 serjeants or havildars, 5 drummers, 323 rank and file, wounded.

Grand Total—37 European officers, 17 native officers, 27 serjeants or havildars, 4 trumpeters or drummers, 599 rank and file, 4 lascars, 4 syce drivers, 2 syce grass-cutters, 33 officers' chargers, 281 regimental horses, killed; 78 European officers, 18 native officers, 3 warrant officers, 99 serjeants or havildars, 23 trumpeters or drummers, 1,496 rank and file, 8 lascars, 2 syce drivers, 2 syce grass-cutters, 6 officers' chargers, 187 regimental horses, wounded.

NAMES OF OFFICERS KILLED AND WOUNDED.

Personal Staff—Lieutenant-Colonel R. B. Wood, Aide-de-Camp to the Right honourable the Governor-general, severely wounded; Lieutenant F. P. Haines, Aide-de-Camp to his Excellency the Commander-in-Chief, severely ditto.

General Staff—Major A. W. Fitzroy Somerset, Military Secretary to the Right hon. the Governor-general, mortally ditto, since dead; Brevet Captain W. Hore, Officiating Deputy Secretary to Government, killed.

Artillery Division, Divisional Staff—Captain W. K. Warner, Commissary of Ordnance, slightly wounded.

Brigade Staff—Captain M. Mackenzie, Major of Brigade, slightly wounded.

2d Troop, 1st Brigade, Horse Artillery—Captain E. D. A. Todd, killed.

1st Troop, 3d Brigade, Horse Artillery—1st Lieutenant R. M. Paton, slightly wounded.

3d Troop, 3d Brigade, Horse Artillery—1st Lieutenant P. C. Lambert, killed.

3d Company, 4th Battalion.—1st Lieutenant E. Atlay, slightly wounded.

CAVALRY DIVISION.

Divisional Staff—Lieutenant-Colonel D. Harriott, Commandant, slightly wounded, Captain C. F. Havelock, Her Majesty's 9th Foot, D. A. Quartermaster-general, wounded.

Brigade Staff—Lieutenant-Colonel M. White, C. B., Commanding 1st Brigade, slightly wounded.

Her Majesty's 3d Light Dragoons—Brevet Captain J. E. Codd, killed; Cornet H. Ellis, ditto; Cornet G. W. K. Bruce, Her Majesty's 16th ditto.

Ditto—Major C. W. M. Balders, slightly wounded; Lieutenant H. C. Morgan, severely wounded; Lieutenant J. G. A. Burton, slightly wounded; Cornet W. H. Orme, severely wounded; Cornet Lieutenant J. D. White, slightly wounded; Cornet J. Rathwell, ditto.

1ST DIVISION OF INFANTRY.

Divisional Staff—Captain E. Lugard, D. A. A. G., wounded; Lieutenant A. J. Galloway, D. A. Q. M. G., ditto; Lieutenant E. A. Holdich, A. D. C., ditto.

Her Majesty's 31st Foot—Lieutenant J. L. R. Pollard, killed; Lieutenant and Adjutant W. Bernaid, ditto.

Ditto—Major G. Baldwin, severely wounded; Lieutenant T. H. Plaskett, severely wounded; Lieutenant A. Pilkington, ditto; Ensign J. Paul, slightly wounded; Ensign H. P. Hutton, ditto.

Her Majesty's 50th Foot—Captain W. Knowles, wounded; Lieutenant C. A. Mouat, ditto; Lieutenant E. J. Chambers, ditto; Lieutenant R. M. Barnes, ditto; Ensign A. White, ditto; Lieutenant and Adjutant E. C. Mullen, ditto.

24th Regiment, Native Infantry—Brevet Major J. Griffin, killed.

Ditto, Ensign E. A. Grubb, wounded.

42d Light Infantry—Lieutenant J. G. Wollen, killed.

Ditto, Lieutenant Adjutant C. W. Foid, wounded; Ensign J. Wardlaw, ditto.

48th Regiment Native Infantry—Lieutenant E. W. Litchford, slightly wounded; R. C. Taylor, ditto

2D DIVISION OF INFANTRY.

Brigade Staff—Lieutenant-Colonel C. C. Taylor, Brigadier, wounded.

Captain J. O. Lucas, Major of Brigade, killed; Captain J. H. Burnett, 16th Native Infantry, ditto.

Her Majesty's 29th Foot—Captain G. Molle, killed; Lieutenant A. A. Simmons, ditto.

Ditto, Major G. Congreve, wounded; Captain A. St. G. H. Stepney, ditto.

1st European Light Infantry—Captain T. Box, killed; Ensign P. Moxon, ditto.

Ditto—Captain C. Clark, severely wounded; Captain B. Kendall, dangerously ditto; Lieutenant D. C. T. Beatson, 14th Native Infantry, officiating interpreter, severely ditto; Lieutenant R. W. H. Fanshawe, slightly ditto; Ensign F. O. Salusbury, severely ditto; Ensign C. R. Wriford, slightly ditto.

2d Regiment Native Infantry, Grenadiers—Ensign G. A. Armstrong, killed.

Ditto—Captain T. W. Bolton, severely wounded; Ensign W. S. R. Hodson, slightly ditto.

16th Regiment Native Infantry, Grenadiers—Major L. N. Hull, killed.

Ditto—Ensign J. J. O'Brien, slightly wounded.

45th Regiment Native Infantry—Lieutenant C. V. Hamilton, wounded.

3D DIVISION OF INFANTRY.

Brigade Staff—Lieutenant-colonel N. Wallace, Brigadier, killed.

Her Majesty's 9th Foot—Lieutenant-colonel A. B. Taylor, killed; Captain J. Dunne, ditto; Captain J. F. Field, ditto.

Ditto—Captain A. Borton, severely wounded; Lieutenant A. Taylor, severely wounded; Lieutenant J. U. Vigers, slightly wounded; Lieutenant F. Sievwright, dangerously wounded; Lieutenant W. G. Cassidy, dangerously wounded; Ensign W. H. Forster, contused.

Her Majesty's 80th Foot—Captain A. D. W. Best, killed; Captain R. Scheberras, ditto; Lieutenant R. B. Warren, ditto; Lieutenant G. C. G. Bythesea, ditto.

Ditto—Major R. A. Lockhart, wounded; Brevet Captain S. Fraser, since dead; Lieutenant M. D. Freeman, wounded.

26th Light Infantry, Native Infantry—Lieutenant G. A. Croly, killed; Lieutenant A. C. Eatwell, ditto.

73d Regiment Native Infantry—Captain R. M. Hunter, killed.

4TH DIVISION OF INFANTRY.

Divisional Staff—Lieutenant Haivey, Aide-de-camp, killed; Captain J. F. Egerton, D. A. Q. M. G., wounded.

Brigade Staff—Captain C. F. J. Burnett, Major of Brigade, slightly wounded; Lieutenant-colonel T. Reed, slightly ditto.

Her Majesty's 62d Foot—Captain G. H. Clarke, killed; Captain H. Wells, ditto; Lieutenant T. K. Scott, ditto; Lieutenant W. M'Nair, ditto; Lieutenant R. Gubbins, ditto; Lieutenant M. Kelly, ditto; Lieutenant and Adjutant G. Sims, ditto.

Ditto—Major W. T. Shortt, slightly wounded; Captain S. W. Graves, badly ditto; Captain C. W. Sibley, ditto; Captain D. G. A. Darroch, slightly ditto; Lieutenant M. J. Gregorson, badly ditto; Lieutenant W. L. Ingall, slightly ditto; Lieutenant A. S. Craig, severely ditto; Ensign C. Roberts, ditto; Ensign J. M. M. Hewett, slightly ditto.

12th Regiment Native Infantry—Lieutenant-colonel L. Bruce, very severely wounded; Captain W. B. Holmes, severely ditto; Lieutenant C. B. Tulloch, very severely ditto; Ensign J. H. C. Ewart, slightly ditto.

14th Regiment Native Infantry—Captain W. Struthers, slightly wounded; Bt. Captain C. G. Walsh, ditto; Lieutenant A. O. Wood, severely ditto; Lieutenant I. H. H. Lukin, slightly ditto; Ensign G. Weld, severely ditto

P. Grant,

Major, Deputy Adjutant-General of the Army.

KILLED.

KILLED.

European officers, 37.
 Native ditto, 17.
 Non-commissioned, drummers, rank and file, 630.
 Syces, drivers, &c., 10.
 TOTAL, 694.

WOUNDED

European officers, 78.
 Native ditto, 18.
 Non-commissioned, drummers, rank and file, 1610.
 Syces, drivers, &c., 12.
 Warrant officers, 3.
 TOTAL, 1721.

GRAND TOTAL of all ranks, killed and wounded - - - 2415.

RETURN of ORDNANCE captured during the Action of the 21st and 22d instant.

		Camp, Fer ozeshah, 27 December 1845.	
		No.	No.
Gun	9-pounder	-	1
Howitzer	42-pounder	-	1
Gun	18-pounder	-	1
ditto	18-pounder	-	1
ditto	18-pounder	-	1
ditto	9-pounder	-	1
ditto	9-pounder	-	1
ditto	8-pounder	-	1
ditto	9-pounder	-	1
ditto	9-pounder	-	1
ditto	9-pounder	-	1
ditto	18-pounder	-	1
ditto	9-pounder	-	1
ditto	9-pounder	-	1
ditto	18-pounder	-	1
ditto	8-pounder	-	1
ditto	8-pounder	-	1
ditto	8-pounder	-	1
ditto	6-pounder	-	1
ditto	9-pounder	-	1
ditto	12-pounder	-	1
ditto	7-pounder	-	1
ditto	brass 7-pounder	1	1
ditto	ditto 8-pounder	1	1
ditto	ditto 18-pounder	1	1
ditto	ditto 15-pounder	1	1
ditto	ditto 11-pounder	1	1
Howitzer	ditto 24-pounder	1	1
Gun	ditto 3-pounder	1	1
ditto	iron 3-pounder	1	1
ditto	ditto 6-pounder	1	1
ditto	brass 24-pounder	1	1
ditto	ditto 6-pounder	1	1
ditto	ditto 6-pounder	1	1
ditto	ditto 9-pounder	1	1
ditto	ditto 3-pounder	1	1
Gun	brass 8-pounder	-	1
ditto	ditto 6-pounder	-	1
ditto	ditto 9-pounder	-	1
ditto	ditto 9-pounder	-	1
ditto	ditto 9-pounder	-	1
ditto	ditto 12-pounder	-	1
ditto	ditto 10-pounder	-	1
ditto	ditto 6-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 12-pounder	-	1
ditto	ditto 10-pounder	-	1
ditto	ditto 10-pounder	-	1
ditto	ditto 10-pounder	-	1
ditto	ditto 12-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 3-pounder	-	1
ditto	ditto 10-pounder	-	1
ditto	ditto 9-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 9-pounder	-	1
ditto	ditto 3-pounder	-	1
Mortar	ditto 10-inch shell	-	1
Gun	ditto 3-pounder	-	1
ditto	ditto 6-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 7-pounder	-	1
ditto	ditto 3-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 8-pounder	-	1
ditto	ditto 32-pounder	-	1
ditto	ditto 9-pounder	-	1
Mortar	ditto 24-pounder	-	1
Gun	ditto 9-pounder	-	1
Howitzer	ditto 9-pounder	-	1
Gun	ditto 18-pounder	-	1
ditto	ditto	-	1

Many of these guns have long Persian inscriptions on them, and very old dates; some are highly ornamented; carriages in good repair, and closely assimilating to those in use with the Bengal Artillery; the whole well fitted for post guns; the metal in these guns is much heavier than those of a similar calibre in use with the Bengal Artillery.

Two more guns were discovered at Sooltan-Khan Wallah, of which no return has yet been received.

W. K. Warner,
 Lieutenant and Brevet Captain, Commissary of Ordnance.
M. McKenzie,
 Brevet Captain, Brigade-Major Artillery, Army of the Sutlej.
Geo. G. Deanship,
 Brigadier of Foot Artillery, Army of the Sutlej.
George Brooke,
 Brigadier Commanding Artillery, Army of the Sutlej.

Enclosure No. 5 in No. 11.

Lieutenant-general Sir *Henry Hardinge*, G. C. B., to General Sir *Hugh Gough*,
Bart, G. C. B., Commander-in-Chief in India.

Sir,

Camp, Ferozepore, 22 December 1845.

I HAVE the honour to report to your Excellency that, when the army under your command had formed its junction with the forces from Ferozepore, under Major-general Sir John Littler, and was drawn up in order of battle, on the 21st instant, I proceeded with the two left brigades, commanded by Colonels Wallace and M'Laren, to attack the enemy's intrenched position at Ferozeshah.

2. The line advanced with great steadiness, notwithstanding the nature of the ground, intersected with jungle. When the troops had cleared these impediments, and had opened out into the plain, they continued to press on, without a check, under a very heavy fire of grape and musketry from the enemy's batteries, and having borne down all opposition, entered the enemy's camp, and captured the guns in their front.

3. This portion of the camp was soon after on fire, compelling the troops to desist from their attack of the remainder; and as it was now dark, the troops formed on the ground, nearly on a line with the burning camp. From that period till the morning, these brave men were exposed to an incessant fire from the enemy's guns, the darkness of the night being illuminated by the explosion of mines, tumbrils and shells.

4. I need not dwell on the events of this night, so remarkable in military history, because your Excellency witnessed them, and with me admired the fortitude and resolution of these brave men, ready to encounter any danger, although harassed by fatigue and suffering from thirst.

5. I have personally reported to your Excellency my admiration of the conduct of Her Majesty's 80th regiment, and the 1st European Light Infantry, in obeying with alacrity the order I gave about midnight to stand to their arms and charge a battery, which bore destructively on our ranks. Lieutenant-colonel Bunbury, assisted by Lieutenant-colonel Wood, my Aide-de-camp, led the attack, on which occasion the latter officer was wounded. The guns were spiked, the enemy driven away with loss, and this part of our line left undisturbed for the remainder of the night. Their conduct in the preceding part of the action came more immediately under your Excellency's own observation.

6. Your Excellency, having formed the troops before daylight, led the right of the attack, intrusting the left to me. The whole line instantly advanced, and, animated by your example, carried every thing before them; and, having traversed the camp from one extremity to the other, drew up in a perfect line, expressing by loud cheers, as we rode up the line, their conscious pride that every man had done his duty.

7. I again most cordially congratulate you on the brilliant success of the army under your Excellency's command.

8. It is now my duty to report to your Excellency, that Major-general Gilbert, commanding a portion of this division of the army, gave me the greatest satisfaction.

9. Colonel Wallace fell bravely at the head of his troops.

10. Colonel M'Laren led his brigade with his accustomed judgment and resolution.

11. My own personal Staff having been all disabled, with the exception of one most dear to me, and who still remained by my side, I derived, on the morning of the 22d, the most valuable aid from Lieutenant-colonel Birch, Judge-Advocate-General, from Lieutenant-colonel Parsons; and from your Excellency's intelligent and brave Aide-de-camp, Captain West. These officers, riding several paces in front of the line, regulated the advance, animated the men, and prevented any unnecessary firing.

12. I have great obligations, during the whole of these operations, to Colonel Benson, a member of the Military Board, and acting as my Aide-de-camp, who has constantly accompanied me in the field, and in whose cool judgment and experienced ability I place great reliance.

13. My Aide-de-camp, Lieutenant-colonel Wood, has shown all the qualities which make a good officer.

14. I beg to bring to your notice my Aide-de-camp, Lieutenant Hillier, who is wounded, and Lieutenant Peel, of the 37th Native Infantry, Acting Aide-de-camp,

camp, who is slightly wounded. Captain Becher, of the Quarter-Master-General's Department, attached to my camp, also accompanied me, and I recommend him as a very promising officer.

15. I also recommend the Officers belonging to the Political Agency of these provinces, who acted as my Aides-de-camp, Captain Abbott, and Lieutenant Lake, and are both wounded. Captain Mills, Acting Aide-de-camp, took the command of a troop of Horse Artillery with his usual spirit.

16. It is now with great pain that I have to record the irreparable loss I have sustained, and more especially the East India Company's Service, in the death of Major Broadfoot, of the Madras Army, my Political Agent. He was thrown from his horse by a shot, and I failed in prevailing upon him to leave the field. He re-mounted, and shortly afterwards received a mortal wound. He was as brave as he was able in every branch of the Political and Military Service.

17. Major Somerset, my Military Secretary, much about the same time, was shot through the body, conducting himself with the hereditary courage of his race. He was always foremost where difficulties required to be overcome. I deeply regret his loss.

18. I have also lost a most promising and brave officer by the death of Captain Herries, on the night of the 18th, at Moodkee.

19. Lieutenant Munro, of the 10th Light Cavalry, my Aide-de-camp, a most amiable and excellent officer, I have also had the misfortune to lose, whilst placed at your Excellency's disposal, in the affair at Moodkee.

20. Captain Horé, Assistant Military Secretary, and a valuable officer, acting as my Aide-de-camp, was killed about the same time as Major Somerset received his wound.

21. I have now to request your Excellency's notice to the conduct of an illustrious nobleman, Count Ravensburg, who, with the officers of his suite, Count Greuben and Count Oriola, accompanied me in the field. These Prussian officers nobly sustained the reputation of their countrymen.

22. The Prince's surgeon was struck to the ground by a ball. I saw his Royal Highness instantly spring from his horse to his assistance. The Prince's humanity was unavailing, death had already closed the surgeon's career.

23. I am aware of the respectful regard which your Excellency entertains for this illustrious nobleman and his companions, travellers in the East, and I know that this brief record of their actions will be gratifying to your Excellency.

I have, &c

H Hardunge.

Enclosure No 6 in No. 11.

Major-general Sir *John Littler* to the Adjutant-general of the Army.

Sir,

Ferozepore, 25 December 1845.

In pursuance of instructions received from the Right honourable the Governor-general, under date the 20th instant, I moved out of my position at Ferozepore at 8 A.M. on the 21st instant, with the corps as per margin,* leaving the defence of the cantonments to the 63d Regiment Native Infantry, under the command of Lieutenant-colonel Wilkinson, and that of the town to the 27th Regiment Native Infantry, under Lieutenant-colonel Carnegy, together with detachments of Sappers, and half a field battery in the town, and 2d company (reserve) of Artillery in the entrenchment.

* 2 Troops Horse Artillery	} 1st Brigade.	
1½ Light Field Battery		
8th Light Cavalry		
3d Irregular Cavalry		
H. M. 62d Foot,		
12th Native Infantry,		
14th ditto - - -		
33d ditto - - -		
44th ditto - - -		} 2d Brigade.
54th ditto - - -		
Detachment of Sappers		

I effected a junction with the troops under the personal command of his Excellency the Commander-in-Chief, and, agreeably to his instructions, moved into position, or order of battle, on the same evening about 4 P.M. The first advance in line was very steady, and the approach to the enemy's works made under a most galling and destructive fire. The casualties in the ranks were awful. The troops, however, still moved on with great firmness and resolution, and approached the enemy's battery to within about 150 yards, when I considered the prize to be within their grasp.

85.

o 2

Brigadier

Brigadier T. Reed gave the order to charge, supported by the left or Brigadier the Honourable T. Ashburnham's Brigade. This charge was commenced with such determined gallantry and spirit, that the result seemed certain. The enemy, however, having great confidence in their guns, continued to serve them with extraordinary activity, and to make such havoc in our ranks, as to cause an immediate panic and hesitation in Her Majesty's 62d Foot, which of course had a similar effect on the native regiments on the flanks, notwithstanding all our exertions to induce them to advance by cheering and encouraging them, pointing at the same time to the short distance which they had to proceed when the day would be their own. It was all in vain, and they retired out of gun-shot to where Her Majesty's 9th Foot and 26th Regiment Native Infantry were drawn up in reserve. A part of the 14th Regiment Native Infantry, with their colours, accompanied these two regiments, and entered the enemy's batteries.

At this period it was nearly dark, and, as I had heard that the divisions on the right had also been unable to obtain an entrance, I bivouacked for the night in the vicinity.

On the following morning I obtained information of the right division having been directed to renew the attack, and I moved to co-operate, as might be necessary. I then received orders to wait until further instructions, and was moved up to the town and directed to hold it. The result of this attack was most glorious to the British army, and I heartily congratulate his Excellency and the Governor-general on the happy termination of probably one of the most sanguinary engagements that ever took place in India.

With the conduct of the troops in general, under me, I was much gratified; their patience and perseverance in marching through the day, exposed to the sun and want of water, must have, no doubt, in some measure weakened their energies, but they notwithstanding evinced great firmness and resolution in advancing to the attack, until borne down by the furious and irresistible fire from all arms, that men could be exposed to; the loss of many of their officers must have tended to relax their efforts and check their ardour, and under such circumstances only could the disappointment to Her Majesty's 62d regiment themselves and to their country have been for a moment conceived.

The native troops, under the numerous temptations to which they have been exposed for several months past by Sikh emissaries, have evinced their loyalty to the British Government in a most remarkable manner, not a single desertion having taken place, since the enemy crossed the Sutlej, that has come to my knowledge. They have maintained the character of the Bengal army in displaying courage and bravery under a heavy fire.

I have much pleasure in bringing to the favourable notice of his Excellency the Commander-in-Chief the services of those zealous and indefatigable officers, Brigadiers T. Reed, the Honourable T. Ashburnham, D. Harriott, commanding cavalry, and E. Huthwaite, commanding artillery, whose cool courage throughout the attack was conspicuous. To the several commanding officers of regiments and divisions, Lieutenant-colonel Gairdner, commanding 14th Regiment Native Infantry; Lieutenant-colonel Bruce, commanding 12th Regiment Native Infantry, who lost his arm in the action; Major Wake, commanding 44th Regiment Native Infantry; Major Shortt, commanding Her Majesty's 62d Foot; Major Osborn, commanding 54th Regiment Native Infantry; and Captain Sandeman, commanding 33d Regiment Native Infantry; I feel much indebted for the spirited and gallant manner in which they brought up their respective regiments during the advance.

It is with sincere regret that I have to report for his Excellency's information the death of my Aide-de-camp, Lieutenant Harvey, of Her Majesty's 39th Foot, a very promising and intelligent young officer, and devoted to his profession. He was shot during the advance, in the act of cheering on the men, when within about 250 yards of the enemy's works. His death will be a loss to the public service, and deplored by his friends and relations.

Of Captain Egerton, my Assistant Quartermaster-general, whose activity and zeal were conspicuous, I cannot speak too highly; he was severely wounded on the morning of the 22d.

It is with much gratification that I also submit for his Excellency's consideration, and acknowledge the obligation to Major P. Innes, my Deputy Assistant Adjutant-general, and Captain Burnett, Major of the Brigade, for their indefatigable exertions throughout the affair, as well as for their able assistance on all occasions.

Lieutenant

Lieutenant Goodwyn, of the Engineers, has proved himself a most zealous and indefatigable officer during the whole time that the Sikh army has been opposite Ferozepore, as well as on the evening of the 21st, during the engagement, and whom I beg to recommend to his Excellency's notice

To Captain W. B. Thomson, Commissariat Department, who accompanied me, and to Lieutenant W. Fullerton, superintending the Sudder Bazaar, who volunteered his services as my Aide-de-camp, and was particularly useful to me in the field, I feel indebted.

Captain Nicolson, late Assistant Governor-general's agent, and Colonel Van Courtland, late of the Sikh service, who were placed at my disposal by the late Major Broadfoot, c b, afforded me every assistance in their power during the engagement and previously, when the Sikhs first crossed the Sutlej.

I have, &c.,

J. H. Littler,
Major-Gen. Commanding Inf. Division.

Enclosure No. 7 in No. 11.

NOTIFICATION

Ferozepore, December 25th,
Christmas-day, 1845.

THE Governor-general has the heartfelt satisfaction to announce to his Honour the President in Council, to the army, and to the people of India, the repulse of the Sikh forces in their attack on a portion of the British army, near Moodkec, on the night of the 18th instant, and the capture, on the evening of the 21st and morning of the 22d, of their entrenched camp, with 70 pieces of cannon, defended by 60,000 men, near the village of Ferozeshah. Upwards of 90 pieces of the enemy's artillery have been taken in these two operations.

These events, so glorious to the British arms, have been followed by the precipitate retreat of the enemy towards the Sutlej, his pride abated, and the unprovoked aggression on the British territory signally avenged.

The Governor-general cordially congratulates the Commander-in-chief, General Sir Hugh Gough, Bart., G.C.B., on the entire success of his Excellency's rapid and energetic operations, in which the troops, both British and Native, have displayed, under circumstances of long-continued fatigue, since the 11th instant, their accustomed discipline and valour

The Governor-general will rejoice in recording the gallant exploits of the army during this important campaign, by decorating the breasts of the victors with a medal, as soon as the report of these operations shall be received from the Commander-in-chief.

Incessantly engaged in sharing with his brave troops their fatigues, and showing by his personal example at the head of his troops the value of enduring privations with patience, it has been impossible for his Excellency the Commander-in-chief, in the midst of so many occupations, to furnish to the Governor-general a detailed report of these brilliant successes.

The Governor-general, however, cannot refrain from notifying to the Honourable the President in Council, to the army, and to the people of India, these results so honourable to the British arms, and he directs that this notification be carefully made known to all the troops by being read on their parades, and communicated to all the departments of the Government, civil and military, and that a salute of 21 guns be fired from this fort of Ferozepore this day at one o'clock, and at every principal station of the army as soon as the notification shall be received

These grateful and heartfelt acknowledgments to the army for its services cannot be closed without humbly remembering that our thanks are due to Him who is the only Giver of all victory, and without whose aid the battle is not to the strong.

The Governor-general, therefore, invites every British subject at this station to return thanks to Almighty God, this day at 11 o'clock, for the mercies He has so

recently vouchsafed us, by assembling at the Governor-general's tent, where prayers and thanksgivings will be read by the Governor-general's Chaplain.

By order of the Right Honourable the Governor-general of India.

F. Currie,

Secretary to the Government of India,
with the Governor-general.

Enclosure No. 8, in No. 11.

GENERAL ORDERS by the Right Honourable the GOVERNOR-GENERAL of India.

Camp, Ferozepore, December 30, 1845.

* December 19th
and 22d.

THE Governor-general having received from the Commander-in-Chief in India the despatches, dates of which are noted in the margin*, directs that they be published for the information of the army and people of India.*

The first despatch from his Excellency reports the operations of the army on the evening of the 18th instant at Moodkee, where the enemy attempted to surprise the British camp, and were repulsed at all points, with the loss of 17 guns.

The second despatch reports the glorious successes obtained by the army under the immediate command of his Excellency, on the evening of the 21st and the morning of the 22d, at Ferozeshah; where the British army assaulted the entrenched camp of the Sikhs, defended by 108 pieces of cannon, some of heavy calibre, and after driving the enemy from his position, captured 74 guns. Thus the enemy have been forced to relinquish to their victors on these occasions upwards of 90 pieces of artillery, with all the munitions of war in their camp.

All the objects which the Governor-general desired to effect have been accomplished by his Excellency the Commander-in-Chief. The British force posted at Ferozepore, thus suddenly and treacherously surrounded by the Sikh army, with a large park of artillery, has been relieved; the brave garrison, under its able commander Major-general Sir J. Littler, not only maintained a firm attitude of defence, but had the satisfaction, so grateful to brave soldiers, of skilfully forming a junction with the Umballa force, and gallantly taking part in the discomfiture of the enemy which had so recently invested them.

The Governor-general again cordially congratulates his Excellency General Sir Hugh Gough, G.C.B., on the great and important victories obtained by the army under his immediate command.

The Governor-general, in the name of the Government and of the people of India, gratefully acknowledges the noble services rendered to the public by his Excellency the Commander-in-Chief, by all the general and other officers, and by the non-commissioned officers and soldiers of the brave Indian army.

The Governor-general's thanks are due to all the Infantry regiments of Her Majesty, and to the First European Light Infantry of the East India Company's Service, all of which regiments distinguished themselves by the most devoted courage in braving the destructive fire of the enemy's batteries and valiantly capturing their guns.

The Governor-general offers his thanks more especially to Her Majesty's 3d Dragoons, who, on all these occasions, sought opportunities of useful conflict with the enemy, and fought with that superiority over their opponents which skill and discipline impart to brave and determined men.

The European and Native Artillery maintained their accustomed character for steady, unyielding courage, when exposed to a very heavy and galling fire.

The Governor-general's thanks are justly due to the brave Infantry of the Native army, whose valour so mainly contributed to these victories, and he cannot withhold his admiration for the patience and perseverance with which they endured privations inseparable from forced marches.

The Artillery, Cavalry and Infantry, united together by the bonds of mutual esteem, may be confident that, when they rely on each other's courage, the three arms, combined and acting together, will ever be found to be an invincible army.

The Government of India, as a tribute of their esteem for the meritorious conduct of the troops engaged in the recent operations, will grant to every officer
and

and soldier in the service of the Government of India, engaged in these battles, a medal to be worn with their uniforms, on which the word "Ferozeshah" shall be inscribed, as denoting that they have served in this important campaign.

The Commander-in-Chief will be so good as to furnish the Governor-general with lists of all the officers and soldiers engaged in the operations of this campaign.

The Governor-general is further pleased to order, that the following corps be permitted to wear the word "Ferozeshah" upon their appointments, standards and colours, in perpetual commemoration of their gallant services:—

1st and 3d Brigades Horse Artillery.
 2d, 3d, and 4th Companies, 4th Battalion;
 2d and 4th Companies, 6th Battalion.
 2d Company, 7th Battalion, Foot Artillery.
 Governor-general's Body Guard.
 4th, 5th, and 8th Regiments Light Cavalry
 3d, 8th, and 9th Regiments Irregular Cavalry.
 1st European Light Infantry.
 2d, 12th, 14th, 16th, 24th, 26th, 33d, 42d, 44th, 45th, 47th, 48th, 51th
 and 73d Regiments of Native Infantry.

By order of the Right Honourable the Governor-general of India.

F. Currie.

Enclosure No. 9, in No. 11.

PROCLAMATION by the GOVERNOR-GENERAL of *India.*

Ferozepore, December 31, 1845

THE Lahore Government has, without provocation, or any declaration of hostilities, and notwithstanding the existence of a treaty of amity and alliance, made war upon the British Government. A large Sikh army has invaded the British territories, which has been repulsed and driven across the Sutlej, with the loss of 91 pieces of their artillery now in our possession. It becomes necessary, therefore, for the British Government to take measures for punishing this unprovoked aggression, and for preventing in future similar acts of treachery by the Government and army of the Punjab. The British Government considers it right now to call upon all natives and inhabitants of Hindoostan who have taken service under the Lahore Government, to quit that service, and place themselves under the orders of the Governor-general of India. As long as relations of amity existed between the two states, there was no objection to the natives of the one territory taking service with the Government of the other; but now that the Lahore state has become the avowed enemy of the Government of Hindoostan, it is incumbent on all natives of Hindoostan, whose homes and families are under British protection, to quit the service of the common enemy, and join that of the Government of their own country. All persons, of the above description are, therefore, hereby called upon to repair to the British side of the Sutlej, and to report themselves to the British authorities; their interests will, in all cases, be respected; they will, if fit for the military service, be taken into that of the British Government, with all the advantages of pay and allowances enjoyed by British soldiers.

All natives of Hindoostan who, after the promulgation of this Proclamation, continue in the service of the enemy, will be considered to have forfeited all claim to British protection, and will be treated as traitors to their country, and enemies of the British Government.

By order of the Right Honourable the Governor-general of India.

F. Currie,

Secretary to the Government of India,
 with the Governor-general.

INDIA.

P A P E R S

RESPECTING

THE LATE HOSTILITIES

ON THE

NORTH-WESTERN FRONTIER

OF

INDIA.

(Presented to Parliament by Command of Her Majesty)

*Ordered, by The House of Commons, to be Printed,
26 February 1846.*

[Price 7 d.]

85.

Under 8 oz.

FURTHER PAPERS
RESPECTING
THE LATE HOSTILITIES
ON THE
NORTH-WESTERN FRONTIER OF INDIA ;
AND THE
CONCLUSION OF TREATIES
WITH THE
MAHARAJAH DHULEEP SING, OF LAHORE,
AND THE
MAHARAJAH GOLAB SING, OF JUMMOO.

Presented to both Houses of Parliament by Command of Her Majesty.
1846.

(77)

LONDON:
PRINTED BY T. R. HARRISON.

(3)

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No. 12.

The Governor-General of India to the Secret Committee of the East India Company.

(Extract.) *Camp, Ferozepore, January 1, 1846. (No. 1)*

THE enemy is reported to be preparing a bridge of boats about thirty miles to the eastward of this place; and to be giving out that they will recross the river, and try another battle.

I believe this to be only a demonstration. We are now too strong (the 1st division, Meerut force, being this day at Moodkee, twenty miles distant) for them to venture an attack.

Great pains seem to have been taken by the Sikh army to conceal from the Durbar the extent of their discomfiture, but much anxiety and irresolution are described to prevail at Lahore.

No. 13

The Governor-General to the Secret Committee.

(Extract.) *Ferozepore, January 19, 1846. (No. 2)*

SINCE the dispatch of my last letter on the 1st instant, no military operations of importance have taken place.

I mentioned in that letter that the Sikh army was said to be constructing a bridge not very far from the spot where they crossed the river, after having been driven from Ferozeshah, and that they declared it was their intention again to fight on this side of the river.

The bridge has been constructed, and a tête-de-pont has been thrown up in front of it, with much military skill, in a position very favourable to defence. The opposite banks are high, and the river, where the bridge is laid, makes a slight curve inwards, so as to throw the opposite banks sufficiently forward to afford protection to both flanks of the advanced position from heavy artillery placed in battery. Above the bridge, and not far from it, is a good ford, which facilitates the communication between the forces on the opposite banks.

Although the Sikhs have industriously circulated reports during the last fortnight, that they are about to attack us, and have caused it to be stated that, on particular days, a general advance will be made upon the British troops, it is evident that they have no such intention, and that their object is merely to prevent our passing, and to keep us before them while the season for operations is wearing away.

You are aware of the state in which the station of Loodiana was left in regard to troops, when our army advanced under the Commander-in-chief to the relief of Ferozepore, and that, by leaving in the fort the old, the infirm, and the recruits, and by uniting the effective part of the force of that station with the Umballa force, we were enabled to undertake the operations described in the dispatch of the 31st ultimo, which led to such eminently successful and satisfactory results.

Advantage has been taken by the Durbar and the Sikh army, of the paucity of troops at Loodiana, to effect a passage for a force of about 10,000 men of all arms to this side of the Sutlej, in the neighbourhood of that place. No attack had been made on the town or cantonments of Loodiana up to the evening of the day before yesterday; and the object of this force appeared to be rather to entrench itself near the place at which it crossed, in order to obstruct our progress, and to cut off the passage of supplies *en route* to Ferozepore, and to intercept the communi-

cation between the two posts, than to make an attack on the town and fortress of Loodiana. As soon as the Meerut force had joined the Commander-in-chief's camp, I took immediate measures to reinforce the Loodiana fort, and the station at Busseean, by requesting the Commander-in-chief to appropriate the 36th regiment of native infantry the Sirmoor and Nusseeree battalions, and the 30th native infantry, 1st light cavalry, with four guns, for this service.

This force has been at Loodiana since the 15th; and the sick, the women, and the children have been conveyed to Umballa; and this force has a month's supply of provisions in the fort.

Major Mackeson had been sent with a detachment to reduce the fort of Mookatsur, about thirty-five miles from this, garrisoned by Sikh troops; and his instructions were, after completing this operation, to take the Shekawattee brigade, and proceed to Busseean, and there to co-operate with Sir Harry Smith, who had been already detached with a force to reduce Dhurmokote, and keep open the communication for supplies and ammunition from our rear.

Effective measures have been taken for repulsing Runjore Sing, relieving Loodiana, and protecting our rear. Sir Harry Smith's force will amount to 7000 men and 24 guns.

We are now awaiting the arrival of the heavy guns and ammunition ordered by me from Delhi, which left that place on the 10th of this month.

I have little farther to state regarding our military operations during the period embraced in this dispatch. The Rajah of Ladwa took the opportunity, when our troops on the frontier were concentrated in the neighbourhood of Ferozepore, to cross the Sutlej, with his guns, from Ladwa, and the small establishment of troops, to the Lahore side, where he has openly joined the force under Sirdar Runjore Sing. This party, aided by some of Runjore Sing's troops, recrossed the Sutlej, and went to Budawal, a fort belonging to the Rajah of Ladwa, attached by us, and occupied by some troops of the Maharajah of Putteala. At Budawal, the Ladwa Rajah succeeded in getting possession of some of his family and property detained there, though he was unable to retake the fort; and then, after burning three or four of the bungalows in the cantonment of Loodiana, the party—a mere plundering one—recrossed the Sutlej.

This petty affair is the only one in which the Sikh army, or its adherents, have had any success up to this time.

At present, the Chiefs and the Ranee feel that they can give no guarantee for the performance of any conditions they may propose to us; they are still at the mercy of the army, which, though much weakened and disorganized by the defeats it has sustained, and the loss of its artillery, is yet too strong for its own Government to deal with.

No provocation, on our part, has ever been suggested, even as a remote cause for the invasion of our territory. No party ever pretends to set up the pretext of alarm excited, or injury sustained, at our hands; as an excuse for the outrage which has been perpetrated, and the violation of the Treaty. The translation of the last letter written by the Durbar, in reply to the usual khureeta from the Governor-General, announcing his intention to proceed to the Upper Provinces, is in the usual style of friendship, and declares a desire for the continuance of friendly relations, though it must have been written after the determination was taken, by the party then in power, to bring about the collision between the Lahore troops and our Government, by the wanton invasion of our provinces, for the purpose of averting from themselves the capricious wrath, and murderous resentment, of an overgrown and ungovernable army, whose demands for ~~honourable~~ emoluments, the resources of the country, disturbed by ~~anarchy~~ and mistule, could no longer meet.

There can, of course, be no guarantee for the security of our territories, till this army is broken up, or reduced to a state of obedience and subordination which can only be effected by actual coercion by us.

With my letter of the 31st ultimo, I forwarded a copy of a proclamation issued by me, calling upon all the natives of Hindoostan to leave the ranks of the enemy, under the conditions stated. The circulation of this

is said to have caused great jealousy and distrust in the Sikh army, and I have reason to think that it will shortly have the effect of detaching many from its ranks. Some communications have been made to our officers on the subject, and small parties have already come over.

With my last letter, I inclosed the dispatches of the Commander-in-chief, and the returns of killed and wounded in the actions of Moodkee and Ferozeshah. As these returns included all the wounds, however slight, they did not give a correct notion of our actual and permanent loss. In respect to the European part of the force, I have had a return very carefully prepared, showing the number killed, and the number of those wounded, whose wounds incapacitate them permanently from active service. Of the remainder who are wounded, but not permanently incapacitated for future service, 1100 will return to their ranks out of 1371 wounded, and nearly one-third have already rejoined their regiments, and, in the course of a month, the remainder will almost all be again fit for duty.

No. 14.

The Governor-General to the Secret Committee.

(Extract.)

Ferozepore, February 3, 1846. (No 3)

IN my letter to you, No 2, dated 19th ultimo, I described the state of affairs at Loodiana, and the measures which, up to that time, had been taken for relieving that post, and for repelling the force under Sirdar Runjore Sing Mujethea, which had crossed the Sutlej in its neighbourhood.

In the correspondence now inclosed, you will learn the measures pursued by his Excellency the Commander-in-chief, in communication with myself, for reinforcing Sir Harry Smith, K.C.B., when we discovered that Runjore Sing's army had been considerably increased; and when it became evident that the object of the Sirdar was to pass Loodiana, and intercept our siege train, ammunition, and treasure, on their way from Delhi to Ferozepore.

It is with high gratification that I refer you to the inclosures of this dispatch, which describe the entire success of the operations of Sir H. Smith's force for frustrating the design of the Sirdar; and which give an accurate detail of the complete and decisive victory obtained by that able officer and his gallant troops, over the division of the Sikh army under Runjore Sing, on the 28th ultimo. In that important action, the Sikh force was entirely routed; the whole of their artillery, consisting of fifty-two guns, with its equipments, taken; their camp-carriage and munitions of war, captured, and themselves driven headlong, with very severe loss, into, and across, the Sutlej.

I inclose, for your information, a notification of yesterday's date issued by me, promulgating to the army and the people of India these glorious operations, and I beg to bring to especial notice the brave officers whose valour and devotion are mentioned in that paper, and in the dispatches of his Excellency the Commander-in-chief and of Sir Harry Smith, K.C.B.

This decisive victory has occurred at a very important moment. There has not been time for us to ascertain the full effect it may have on the enemy; but it has evidently shaken the Durbar, and the other division of the army in a very great degree; and I am satisfied that it will considerably facilitate all our future proceedings.

Our siege train and ammunition for our field artillery, &c., are this day two marches from Ferozepore: when they arrive, the operations for our onward move will be actively pursued.

The earnest and reiterated intreaties of the Durbar to Rajah Golab

Sing, that he would repair to Lahore, have been at length acceded to by that chief. He reached the capital with five regiments of his picked hill troops on the 27th. When he came, the Durbar seemed more than ever alarmed, and was anxious to persuade him to repair to the frontier. He seems to have made a point of notifying to the Durbar, in the most public and explicit manner, that he has taken no part, and is in no way implicated in their conduct towards the British Government, which he condemns as unjustifiable.

The last report states that the troops had insisted on the installation of Rajah Golab Sing as Minister, and that the step had been acceded to, though reluctantly, by the Ranee and the Chiefs.

I have considered it expedient to let the Rajah Golab Sing be aware, that the British Government will not only require full indemnity for the expenses of the war, but also arrangements for the greater security of our frontier against the recurrence of such atrocities as those recently perpetrated.

It may be politic and proper, in the course of the discussions which may arise, to weaken the territorial power of the Government of Lahore,—rendering the Rajpoots of the Hills independent of the Sikhs, and by other means involving a loss of a portion of their territory,—a retribution also very necessary, in the way of example, to deter other native States from imitating their conduct. These are points which can be better discussed when the Lahore Government may seek to approach the Government for the restoration of peace.

But, above all, it must be absolute and indispensable, that the Sikh army shall be disbanded; its organization, numbers and system entirely changed; and such measures taken as may best secure this object, in which it is highly probable that all the influential parties in the State will concur.

Inclosure 1 in No. 14.

General Order by the Governor-General of India.

Camp, Ferozepore, February 2, 1846.

THE Governor-General announces to the army and the people of India, that he has received from his Excellency the Commander-in-chief of the army, a report by Major-General Sir Harry Smith, K.C.B., dated the 30th ultimo, giving the details of a complete victory gained by the troops under the immediate command of the Major-General, on the 28th January, over the Sikh forces commanded by the Sirdar Runjore Sing Mujethea.

In this decisive and glorious action, the enemy's infantry were dislodged from every position and village they attempted to hold, by rapid charges at the point of the bayonet. Their horsemen were driven from every part of the field by repeated charges, in which the superior valour of the European and Native cavalry was most conspicuous; and the artillery, moving with its accustomed celerity, was always well to the front, directing its fire with precision and effect. The result of these noble efforts of the three arms of artillery, cavalry, and infantry, in which the valour and discipline of the troops were happily combined with the skill of the commander, has been the signal defeat of the enemy, who was driven across the river with great loss, his camp being captured, and fifty-two pieces of artillery remaining in the hands of the victors.

These trophies, in addition to those taken at Ferozeshah and Moodkee, complete the number of 143 pieces of artillery taken in the field from the enemy, since the British army moved from its cantonments to repel a most unprovoked aggression on its territories.

To Major-General Sir Harry Smith, and to the brave troops he commanded, the Governor-General conveys the tribute of his admiration, and the grateful acknowledgments of the Government and the People of India. The service rendered was most important, and was accomplished by the ability of the commander and the valour of the troops.

The Governor-General's thanks are due to Brigadier Wheeler, who, although still suffering from the wounds received at Moodkee, energetically headed his brigade, composed of Her Majesty's 50th Regiment, the 48th Native Infantry, and the Sirmoor Battalion. Great praise is also due to Brigadiers Godby and Hicks, who, with the 36th Native Infantry and Nusseeree Battalion, Her Majesty's 31st, and the 24th and 47th Native Infantry, stormed the village of Aliwal, drove the enemy from it, and seized the guns by which it was defended.

The Governor-General has much satisfaction in observing the warm terms of admiration in which the Major-General speaks of the Nusseeree and Sirmoor battalions, and the Shekawattee Brigade, under Brigadier Penny, Captain Fisher, and Major Forster. These corps nobly emulated the example of the regular regiments of infantry.

In short, the conduct of the troops, European and Native, regular and irregular, was, throughout the field, an honorable rivalry, in which every corps bravely did its duty.

Her Majesty's 16th Lancers, on this occasion, have added to their former reputation acquired in various fields of battle in Asia, by routing the enemy's cavalry in every direction, and by resolute charges of two of its squadrons, under Captain Bere, and Major Smyth, and Captain Pearson, penetrating the enemy's square of infantry, in which charges the squadrons were gallantly supported by the 3rd Light Native Cavalry under Major Angelo.

In these exploits the native cavalry distinguished itself throughout the day; and the Governor-General is happy to bear his testimony to the fact that, since the army of the Sutlej commenced its operations on the 18th December, the native cavalry has, on every occasion, proved its superior prowess, whether in the general actions which have been fought, or in the various skirmishes at the outposts, such as that in which Captain Becher was gallantly engaged with a small party of the 8th Irregular Cavalry at Alloowalla on the morning of the 27th January.

The Governor-General's thanks are due, in an especial manner, to Brigadier Cureton, who commanded the cavalry. This officer's whole life has been spent in the most meritorious exertions in Europe and Asia; and, on this occasion, the skill and intrepidity with which the cavalry force was handled, obtained the admiration of the army which witnessed their movements.

The Government of India, ever desirous to mark its grateful sense of the services of the army, will cause a medal to be presented to every officer and soldier of the East India Company's service, engaged in the battle of Aliwal, and requests, through his Excellency the Commander-in-chief, that a nominal roll may be furnished for that purpose.

By order of the Right Honorable the Governor-General of India,
F. CURRIE,

Secretary to the Government of India with the Governor-General.

Inclosure 2 in No. 14.

*General Sir Hugh Gough, Bart., G.C.B., Commander-in-chief in India,
to the Governor-General.*

(Extract)

Camp, Nihalkee, February 1, 1846.

AFTER its final-repulse, on the 22nd of December, the Sikh army retired, in great confusion, across the ferries and fords of the Sutlej.

I established my head quarters at Sultan Khan Walla on the 24th, my divisions being encamped at that place, at Peer Khan Walla, and at Kool. On the 27th, I advanced to Hurruff; and, the same day, personally pushed a reconnoissance to the bank of the river, at the Ghat of Sobraon.

The enemy was seen stretching along the right bank in force, not more than half a dozen of his stragglers being surprised by our irregular cavalry on this side.

Major-General Sir Harry Smith's division I placed in an advanced position, with its right on the village of Mallowal, and its left on a nullah, an offset from the Sutlej.

From this point the enemy was watched by the Major-General with equal activity and circumspection, whilst the rest of our troops were held in hand ready to support him, should the Sikhs venture to resume the initiative.

On or about the 5th, our attention was directed to a predatory incursion of the enemy, in the direction of Loodiana. They burnt a few of the residences of our officers and barracks of our soldiers, at that station, but avoided the combat, when the Sirmoor Battalion and other troops, interrupted them in the work of destruction.

Rumour exaggerated the nature and extent of this inroad, and excited some alarm for our communications; but the object of this foray was, eventually, discovered to be for the purpose of favouring the escape across the Sutlej, of the Rajah of Ladwa, who had alone, of all the principal princes and chiefs of the Protected States, evinced towards us, at this conjuncture, decided hostility. With him, the predatory Sikhs recrossed the Sutlej.

On the 12th of January, I determined to bring my whole force into a position, from which it might more closely observe the movements of the enemy, now posted near the greater Sobraon, on the right bank. At an early hour it executed an oblique movement to its right and front. Major-General Sir Harry Smith, supported by a cavalry brigade, under Brigadier Cureton (recently brought up from Meerut), was, in this new alignment, still on the right, opposite to Hurrekee Puttun; Major-General Gilbert in the centre, and Major-General Sir Robert Dick on the left, covered again by cavalry. Major-General Sir John Grey, posted at Attaree, watched the Nuggur ford. The troops of Major-General Sir John Littler occupied, or were drawn around, the cantonment and entrenchment of Ferozepore.

The enemy, on his side, reinforced his army on the right bank, completed and strengthened his bridge, and increased the force of his posts and picquets on the left bank. These parties having, on the 14th, evinced more than usual audacity, I caused that body of his infantry which held the head of the bridge, to be driven in by the fire of artillery and rockets, supported by the presence of our light troops. On the following day, a partial cannonade, which was again opened on our side, upon the boats of the Sikhs, on their outposts on the left bank, and their encampment on the right, enabled me to ascertain, from the direction of their corresponding fire, the nature of all their defensive dispositions.

Meanwhile, the upper Sutlej has become the scene of very interesting operations.

It is a strange feature of this war, that the enemy, pressed for supplies on his own bank, has been striving to draw them from his Jaghire States on this side of the river. In the town and fort of Dhurmkothe, which were filled with grain, he had, in the second week of January, a small garrison of mercenaries, Rohillas, Eusufzies and Affghans. Major-General Sir Harry Smith was, on the 18th, sent against this place, with a

single brigade of his division, and a light field battery. He easily effected its reduction, the troops within it surrendering at discretion, after a few cannon shots. But, whilst he was yet in march, I received information of a more serious character. There remained little cause to doubt that Sirdar Runjore Sing Mijetha had crossed from Philoor, at the head of a numerous force of all arms, and established himself in position at Baran Hara, between the old and the new courses of the Sutlej, not only threatening the city of Loodiana with plunder and devastation, but indicating a determination to intersect the line of our communications at Busseean and Rackote.

The safety of the rich and populous town of Loodiana had been in some measure provided for by the presence of three battalions of native infantry under Brigadier Godby; and the gradual advance of our reinforcements, amongst which was included Her Majesty's 53rd Regiment, and the position of the Shekawatee Brigade, near Busseean, gave breathing time to us in that direction.

But, on the receipt of the intelligence which could be relied on, of the movements of Runjore Sing, and his apparent views, Major-General Sir Harry Smith, with the brigade at Dhurmkothe, and Brigadier Cureton's cavalry, was directed to advance by Jugraon towards Loodiana, and his second brigade, under Brigadier Wheeler, moved on to support him.

Then commenced a series of very delicate combinations, the momentous character of which can only be comprehended by reflecting on the task which had devolved on this army, of guarding the frontier from Roopur down to Mundote.

The Major-General, breaking up from Jugraon, moved towards Loodiana, when the Sirdar, relying on the vast superiority of his forces, assumed the initiative, and endeavoured to intercept his progress, by marching in a line parallel to him, and opening upon his troops a furious cannonade. The Major-General continued coolly to manœuvre, and when the Sikh Sirdar, bending round one wing of his army, enveloped his flank, he extricated himself, by retiring, with the steadiness of a field day, by echelon of battalions, and effected his communication with Loodiana, but not without severe loss.

Reinforced by Brigadier Godby, he felt himself to be strong, but his manœuvre had thrown him out of communication with Brigadier Wheeler, and a portion of his baggage had fallen into the hands of the enemy. The Sikh Sirdar took up an entrenched position at Budawal, supporting himself on its fort; but, threatened on either flank by General Smith and Brigadier Wheeler, finally decamped, and moved down to the Sutlej. The British troops made good their junction, and occupied the abandoned position of Budawal. The Shekawatee Brigade and Her Majesty's 53rd Regiment also added to the strength of the Major-General, and he prepared to attack the Sikh Sirdar on his new ground. But, on the 26th, Runjore Sing was reinforced, from the right bank, with 4000 regular troops, twelve pieces of artillery, and a large force of cavalry.

Emboldened by this accession of strength, he ventured on the measure of advancing towards Jugraon, apparently with the view of intercepting our communications by that route.

It is my gratifying duty to announce that this presumption has been rebuked by a splendid victory obtained over him. He has not only been repulsed by the Major-General, but his camp at Ahwal carried by storm, the whole of his cannon and munitions of war captured, and his army driven headlong across the Sutlej, even on the right bank of which he found no refuge from the fire of our artillery.

I have the honor now to forward the Major-General's report which has just reached me. It is so ample and luminous, that I might, perhaps, have spared some of the details into which admiration of the Major-General's conduct, and of the brave army confided to him, in these operations, has led me.

It now remains for me only to congratulate you, Right Honorable Sir, and the Government of India, on the brilliant success which, under Divine Providence, the Major-General has achieved; and to record my opinion that, throughout these arduous and important operations, he has displayed

all the qualities of an able commander. Most strongly, and most earnestly at the same time, I beg to bring to your notice, and to that of His Grace the Duke of Wellington, and the Honorable the Court of Directors, the officers and corps on whom he has so justly bestowed his commendations.

Inclosure 3 in No. 14.

Major-General Sir Harry Smith, K.C.B., to the Adjutant-General of the Army.

Sir, *Camp, Field of the Battle of Aliwal, January 30, 1846.*

MY dispatch to his Excellency the Commander-in-chief, of the 23rdrd instant, will have put his Excellency in possession of the position of the force under my command, after having formed a junction with the troops at Loodiana, hemmed in by a formidable body of the Sikh army, under Runjore Sing and the Rajah of Ladwa. The enemy strongly entrenched himself around the little fort of Budawal, by breast works and "abattis," which he precipitately abandoned on the night of the 22nd instant, (retiring, as it were, upon the ford of Tulwun,) having ordered all the boats, which were opposite Philoor, to that ghat. This movement he effected during the night, and, by making a considerable détour, placed himself at a distance of ten miles, and consequently out of my reach. I could, therefore, only push forward my cavalry, so soon as I had ascertained he had marched during the night, and I occupied immediately his vacated position. It appeared subsequently he had no intention of recrossing the Sutlej, but moved down to the Ghat of Tulwun, (being cut off from that of Philoor, by the position my force occupied after its relief of Loodiana,) for the purpose of protecting the passage of a very considerable reinforcement of twelve guns, and 4000 of the regular, or "Areen," troops, called Avitabilé's Battalion, entrenching himself strongly in a semicircle, his flanks resting on the river, his position covered with from forty to fifty guns, (generally of large calibre,) howitzers and mortars. The reinforcement crossed during the night of the 27th instant, and encamped to the right of the main army.

Meanwhile, his Excellency the Commander-in-chief, with that foresight and judgment which mark the able general, had reinforced me by a considerable addition to my cavalry, some guns, and the 2nd brigade of my own division, under Brigadier Wheeler, C.B. This reinforcement reached me on the 26th, and I had intended, the next morning, to move upon the enemy in his entrenchments, but the troops required one day's rest, after the long marches Brigadier Wheeler had made.

I have now the honour to lay before you the operations of my united forces, on the morning of the eventful 28th of January, for his Excellency's information. The body of troops under my command having been increased, it became necessary so to organize and brigade them as to render them manageable in action. The cavalry, under the command of Brigadier Cureton, and horse artillery, under Major Lawrenson, were put into two brigades; the one under Brigadier MacDowell, C.B., and the other under Brigadier Stedman. The 1st division as it stood:—Two brigades, Her Majesty's 53rd and 30th Native Infantry, under Brigadier Wilson, of the latter corps;—the 36th Native Infantry, and Nusseeree battalion, under Brigadier Godby;—and the Shekawattee Brigade, under Major Forster. The Sirmoor Battalion I attached to Brigadier Wheeler's brigade of the 1st division; the 42nd Native Infantry having been left at head-quarters.

At day-light on the 28th, my order of advance was, the cavalry in front, in contiguous columns of squadrons of regiments, two troops of horse artillery, in the interval of brigades;—the infantry in contiguous columns of brigades, at intervals of deploying distance;—artillery in the intervals, followed by two eight-inch howitzers on travelling carriages, brought into the field from the fort of Loodiana, by the indefatigable exer-

* Not received by the Secret Committee.

tions of Lieutenant-Colonel Lane, Horse Artillery;—Brigadier Godby's brigade, which I had marched out from Loodiana the previous evening, on the right;—the Shekawattee Infantry on the left;—the 4th Irregular Cavalry, and the Shekawattee Cavalry, considerably to the right, for the purpose of sweeping the banks of the wet nullah on my right, and preventing any of the enemy's horse attempting an inroad towards Loodiana, or any attempt upon the baggage assembled round the fort of Budawal.

In this order, the troops moved forward towards the enemy, a distance of six miles, the advance conducted by Captain Waugh, 16th Lancers, the Deputy Assistant Quarter-Master of Cavalry, Major Bradford, of the 1st Cavalry, and Lieutenant Strachey, of the Engineers, who had been jointly employed in the conduct of patrols up to the enemy's position, and for the purpose of reporting upon the facility and points of approach. Previously to the march of the troops, it had been intimated to me, by Major Mackeson, that the information, by spies, led to the belief, the enemy would move somewhere at daylight, either on Jugraon, my position of Budawal, or Loodiana. On a near approach to his outposts, this rumour was confirmed by a spy, who had just left his camp, saying the Sikh army was actually in march towards Jugraon. My advance was steady, my troops well in hand, and, if he had anticipated me on the Jugraon road, I could have fallen upon his centre with advantage.

From the tops of the houses of the village of Poorein, I had a distant view of the enemy. He was in motion, and appeared directly opposite my front, on a ridge, of which the village of Aliwal may be regarded as the centre. His left appeared still to occupy its ground in the circular entrenchment; his right was brought forward and occupied the ridge. I immediately deployed the cavalry into line, and moved on. As I neared the enemy, the ground became most favourable for the troops to manœuvre, being open and hard grass land. I ordered the cavalry to take ground to the right and left by brigades, thus displaying the heads of the infantry columns; and, as they reached the hard ground, I directed them to deploy into line. Brigadier Godby's brigade was in direct echelon to the rear of the right; the Shekawattee infantry in like manner to the rear of my left; the cavalry in direct echelon on, and well to the rear of, both flanks of the infantry; the artillery massed on the right, and centre, and left. After deployment, I observed the enemy's left to outflank me; I therefore broke into open column, and took ground to my right. When I had gained sufficient ground, the troops wheeled into line. There was no dust; the sun shone brightly. These manœuvres were performed with the celerity and precision of the most correct field day. The glistening of the bayonets and swords of this order of battle was most imposing, and the line advanced. Scarcely had it moved forward 150 yards, when, at 10 o'clock, the enemy opened a fierce cannonade from his whole line. At first, his balls fell short, but quickly reached us. Thus upon him, and capable of better ascertaining his position, I was compelled to halt the line, though under fire, for a few moments, until I ascertained that, by bringing up my right, and carrying the village of Aliwal, I could with great effect precipitate myself upon his left and centre. I therefore quickly brought up Brigadier Godby's brigade; and, with it, and the 1st brigade under Brigadier Hicks, made a rapid and noble charge, carried the village, and two guns of large calibre. The line I ordered to advance, Her Majesty's 31st Foot and the native regiments contending for the front, and the battle became general. The enemy had a numerous body of cavalry on the heights to his left, and I ordered Brigadier Cureton to bring up the right brigade of cavalry, who, in the most gallant manner, dashed in among them, and drove them back upon their infantry. Meanwhile, a second gallant charge to my right was made by the light cavalry and the body guard. The Shekawattee brigade was moved well to the right, in support of Brigadier Cureton. When I observed the enemy's encampment, and saw it was full of infantry, I immediately brought upon it Brigadier Godby's brigade, by changing front, and taking the enemy's infantry *en revers*. They drove them before them, and took some guns without a check.

While these operations were going on upon the right, and the enemy's left flank was thus driven back, I occasionally observed the brigade under Brigadier Wheeler, an officer in whom I have the greatest confidence, charging, and carrying guns, and everything before it, again connecting his line, and moving on, in a manner which ably displayed the coolness of the Brigadier and the gallantry of his irresistible brigade, Her Majesty's 50th Foot, the 48th Native Infantry, and the Sirmoor battalion, although the loss was, I regret to say, severe in the 50th. Upon the left, Brigadier Wilson, with Her Majesty's 53rd and the 30th Native Infantry, equalled in celerity and regularity their comrades on the right; and this brigade was opposed to the "Aieen" troops, called Avitabilé's, when the fight was fiercely raging.

The enemy, well driven back on his left and centre, endeavoured to hold his right to cover the passage of the river, and he strongly occupied the village of Bhoondree. I directed a squadron of the 16th Lancers, under Major Smyth and Captain Pearson, to charge a body to the right of the village, which they did in the most gallant and determined style, bearing everything before them, as a squadron under Captain Bere had previously done, going right through a square of infantry, wheeling about, and re-entering the square, in the most intrepid manner, with the deadly lance. This charge was accompanied by the 3rd Light Cavalry under Major Angelo, and as gallantly sustained. The largest gun upon the field and seven others were then captured, while the 53rd Regiment carried the village by the bayonet, and the 30th Native Infantry wheeled round to the rear in a most spirited manner. Lieutenant-Colonel Alexander's and Captain Turton's troops of horse artillery, under Major Lawrenson, dashed almost among the flying infantry, committing great havoc, until about 800 or 1000 men rallied under the high bank of a nullah, and opened a heavy but ineffectual fire from below the bank. I immediately directed the 30th Native Infantry to charge them, which they were able to do upon their left flank, while in a line in rear of the village. This native corps nobly obeyed my orders, and rushed among the Avitabilé troops, driving them from under the bank, and exposing them once more to the deadly fire of twelve guns within 300 yards. The destruction was very great, as may be supposed, by guns served as these were. Her Majesty's 53rd Regiment moved forward in support of the 30th Native Infantry, by the right of the village. The battle was won; our troops advancing with the most perfect order to the common focus, the passage of the river. The enemy, completely hemmed in, were flying from our fire, and precipitating themselves in disordered masses into the ford and boats, in the utmost confusion and consternation: our 8-inch howitzers soon began to play upon their boats, when the "débris" of the Sikh army appeared upon the opposite and high bank of the river, flying in every direction, although a sort of line was attempted to countenance their retreat, until all our guns commenced a furious cannonade, when they quickly receded. Nine guns were on the verge of the river by the ford. It appears as if they had been unlimbered to cover the ford. These being loaded, were fired once upon our advance; two others were sticking in the river, one of them we got out; two were seen to sink in the quicksands; two were dragged to the opposite bank and abandoned. These, and the one in the middle of the river, were gallantly spiked by Lieutenant Holmes, of the 11th Irregular Cavalry, and Gunner Scott, of the 1st troop 2nd brigade Horse Artillery, who rode into the stream, and crossed for the purpose, covered by our guns and light infantry.

Thus ended the battle of Aliwal, one of the most glorious victories ever achieved in India, by the united efforts of Her Majesty's and the Honorable Company's troops. Every gun the enemy had fell into our hands, as I infer from his never opening one upon us from the opposite bank of the river, which is high and favorable for the purpose: fifty-two guns are now in the ordnance park; two sank in the bed of the Sutlej; and two were spiked on the opposite bank; making a total of fifty-six pieces of cannon captured or destroyed*. Many jingalls which were

* 11 guns since ascertained to be sunk in the river, total 67: 30 odd jingalls fell into our hands.

attached to Avitabilé's corps, and which aided in the defence of the village of Bhoondree, have also been taken. The whole army of the enemy has been driven headlong over the difficult ford of a broad river; his camp, baggage, stores of ammunition and of grain, his all, in fact, wrested from him, by the repeated charges of cavalry and infantry, aided by the guns of Alexander, Turton, Lane, Mill, Boileau, and of the Shekawattee brigade, and by the 8-inch howitzers;—our guns literally being constantly ahead of everything. The determined bravery of all was as conspicuous as noble. I am unwont to praise when praise is not merited, and I here most avowedly express my firm opinion and conviction, that no troops in any battle on record ever behaved more nobly;—British and Native, no distinction, Cavalry, all vying with Her Majesty's 16th Lancers, and striving to head in the repeated charges. Our guns and gunners, officers and men, may be equalled, but cannot be excelled, by any artillery in the world. Throughout the day no hesitation, a bold and intrepid advance,—and thus it is that our loss is comparatively small, though, I deeply regret to say, severe. The enemy fought with much resolution; they maintained frequent rencontres with our cavalry, hand to hand. In one charge upon infantry, of Her Majesty's 16th Lancers, they threw away their muskets, and came on with their swords and targets against the lance.

Having thus done justice, and justice alone, to the gallant troops his Excellency intrusted to my command, I would gladly, if the limits of a dispatch (already too much lengthened I fear,) permitted me, do that justice to individuals all deserve. This cannot be; therefore must I confine myself to mention those officers, whose continued services, experience, and standing, placed them in conspicuous commands. In Brigadier Wheeler, my second in command, I had a support I could rely on with every confidence, and most gallantly did he head his brigade. From Brigadiers Wilson, Godby, and Hicks, I had also every support, and every cause to be gratified with their exertions. In Brigadier Cureton, Her Majesty has one of those officers rarely met with; the cool experience of the veteran soldier is combined with youthful activity—his knowledge of outpost duty, and the able manner he handles his cavalry under the heaviest fire, rank him among the first cavalry officers of the age, and I beg to draw his Excellency's marked attention to this honest encomium. In Major Lawrenson, commanding the artillery, Lieutenant-Colonel Alexander, Captain Turton, and Lieutenant-Colonel Lane, the service has officers of the very first order; and I am equally satisfied with Captain Boileau, in command of the nine-pounder battery, and with Lieutenant Mill in charge of four light guns. The two eight-inch howitzers did right good service, organized, equipped, and brought into the field by the exertions and determination to overcome all difficulties, of Lieutenant-Colonel Lane, equally well served, and brought forward always with the infantry, by Lieutenant Austin.

To Brigadiers Mac Dowell and Stedman, commanding their gallant brigades of cavalry, the fortune of the day is greatly indebted; and to all commanding officers of cavalry and infantry, my warmest thanks are due. To Major Smyth, commanding Her Majesty's 16th Lancers, who was wounded; to Major Bradford of the 1st Light Cavalry, to Major Angelo of the 3rd Light Cavalry; to Major Alexander of the 5th Light Cavalry, to Captain Hill of the 4th Irregular Cavalry; to Major Forster of the Shekawattee brigade; and to Captain Quin of the Body Guard, to Lieutenant-Colonel Spence, commanding Her Majesty's 31st Foot; to Major Bird of the 24th Native Infantry; to Captain Corfield of the 47th Native Infantry; to Lieutenant-Colonel Ryan, K. H., of Her Majesty's 50th Regiment; to Captain Troup of the 48th Native Infantry; to Captain Fisher of the Sirmoor battalion; to Lieutenant Colonel Phillips of Her Majesty's 53rd Foot; to Captain Jack of the 30th Native Infantry; to Captain Flemyng of the 36th Native Infantry; and to Brigadier Penny, of the Nusseeree battalion.

His Excellency having witnessed the glorious services of Her Majesty's 31st and 50th Regiments, and of the 24th, 47th, and 48th Native Infantry, I have only to report upon Her Majesty's 53rd, a young regiment; but veterans in daring gallantry and regularity; and Lieutenant-Colonel

Phillips' bravery and coolness attracted the attention of myself and every staff officer I sent to him. The 30th and 36th Regiments Native Infantry are an honour to any service; and the intrepid little Goorkhas of the Nusseeree and Sirmoor battalions in bravery and obedience, can be exceeded by none. I much regretted I had no brigade to give Brigadier Penny, who is in orders for one, as his Excellency is aware. I can only say, therefore, that when he gets his brigade, if he leads it as he did his gallant band of Goorkhas, it will be inferior to none.

The services of Her Majesty's 16th Lancers, his Excellency has witnessed on a former occasion, and the exalted character of this regiment is equally before him. The 1st and 3rd Light Cavalry and the 4th Irregulars, I believe he has not seen in action; and it is my duty, therefore, joyfully to report the manner they contended for the glorious prize of victory, in the many charges they this day delivered; and it will be equally gratifying when I assure his Excellency the Body Guard under Captain Quin, and the 5th Light Cavalry, well did their duty. The Shekawatee brigade, under Major Forster, is steady, obedient, and well appointed, artillery, horse, and infantry, each arm striving to distinguish itself in the field.

Captain Mathias, of Her Majesty's 62nd, in charge of a detachment of convalescents of Her Majesty's service, and Lieutenant Hebbert, of the Honorable Company's Sappers and Miners, readily performed the duty assigned them in protecting the 8-inch howitzers.

To Captain Lugard, the Assistant Adjutant-General of this force, I am deeply indebted, and the service still more so; a more cool, intrepid, and trustworthy officer cannot be brought forward; and I may say the same with great sincerity of Lieutenant Galloway, the Deputy Assistant Quartermaster-General of the 1st division. Captain Waugh, of the 16th Lancers, Deputy Assistant Quarter-Master-General to the Cavalry, is an officer of no ordinary abilities; and the manner in which he and Major Bradford, of the 1st Light Cavalry, daily patrolled, reconnoitred, and made themselves acquainted with the position of the enemy, mainly contributed to the glorious result.

The brigadiers all speak in high terms of their majors of brigade:— Captain O'Hanlon, of the 1st brigade, who was wounded in the action, and replaced by Captain Palmer, of the 48th Native Infantry; Captain Garvock, of Her Majesty's 31st Foot, of the 2nd brigade; Captain Lostie, 30th Native Infantry, of the 3rd brigade; Lieutenant Vanrenen, of the 4th brigade; Lieutenant Pattinson, of Her Majesty's 16th Lancers, of the 1st brigade of Cavalry; and Captain Campbell, of the 1st Light Cavalry, of the 2nd brigade.

Of the services of Lieutenant A. W. C. Plowden, 3rd Light Cavalry, Deputy Assistant Adjutant-General, and my Aide-de-camp, Lieutenant Holdich, and of Lieutenant Tombs of the artillery, my acting Aide-de-camp, I am fully sensible; and with the manner in which they aided me in carrying orders I am much satisfied. Lieutenants Strachey and Baird Smith, of the Engineers, greatly contributed to the completion of my plans and arrangements, and were ever ready to act in any capacity: they are two most promising and gallant officers.

I have every reason to be satisfied with the Commissariat arrangements under Captains Mainwaring and Williamson.

Owing to the judicious arrangements of Dr. Murray, field-surgeon, every wounded officer and soldier was placed under cover, and provided for, soon after dark, and, for the zeal displayed by this able and persevering medical officer, and to the several regimental surgeons, are the wounded and our country deeply indebted. The whole of the wounded were moved yesterday to Loodiana, for the sake of accommodation and comforts which could not be given them in the field.

If not irregular, I beg you will lay before the Commander-in-chief, for submission to the Right Honorable the Governor-General, my just sense of the valuable services of the political officers associated with me: Major Mackeson, Captain J. D. Cunningham, and Lieutenant Lake. For the assistance I have received from them in their political capacity I feel most grateful. On the morning of the battle, each offered to aid me in his military capacity; frequently did I employ them to carry orders to the

thickest of the fight, and frequently did they gallantly accompany charges of cavalry.

The reports of the several brigadiers I inclose; a return of the officers commanding, and second in command of regiments, also a return of killed and wounded; a return of ordnance captured and of ordnance stores, likewise a return of commissariat stores, grain, &c; and a rough sketch of the field of battle of Aliwal.

The fort of Goongrana has, subsequently to the battle, been evacuated; and I yesterday evening blew up the fort of Budawal. I shall now blow up that of Noorpoor. A portion of the peasantry, viz, the Sikhs, appear less friendly to us, while the Mussulmans rejoice in being under our government.

I have, &c,
H. G. SMITH,
Major-General Commanding.

Nominal Roll of Officers Killed and Wounded. January 28

1st Brigade of Cavalry.

H. M.'s 16th Lancers—Lieutenant H. Swetenham, killed; Cornet G. B. Williams, killed; Major J. R. Smyth, severely wounded, Captain E. B. Bere, wounded; Captain L. Fyler, severely wounded; Lieutenant W. K. Orme, severely wounded; Lieutenant T. Pattle, wounded, Lieutenant W. Morris, wounded

4th Irregular Cavalry—Lieutenant and Adjutant Smalpage, killed.

2nd Brigade of Cavalry.

1st Regiment Light Cavalry—Cornet W. S. Beatson, slightly wounded, Cornet T. G. Farquhar, mortally wounded.

1st Brigade Infantry

H. M.'s 31st Regiment—Lieutenant Atty, slightly wounded.

24th Regiment N. Infantry—Lieutenant Scott, wounded

2nd Brigade Infantry

Brigade Major—Captain P. O'Hanlon, badly wounded.

H. M.'s 50th Regiment—Captain W. Knowles, leg amputated, dangerously; Captain J. L. Wilton, severely wounded; Lieutenant Grimes, killed; Lieutenant H. J. Frampton, arm amputated, dangerously, Lieutenant R. B. Bellers, slightly wounded; Lieutenant W. P. Elgee, slightly wounded; Lieutenant A. White, severely wounded; Lieutenant W. Du Vernet, severely wounded; Lieutenant J. Purcell, severely wounded, Ensign W. R. Farmer, severely wounded.

48th Regiment N. Infantry—Captain Troup, slightly wounded; Captain H. Palmer, ditto; Lieutenant and Adjutant Wale, severely wounded; Ensign W. Marshall, slightly wounded.

4th Brigade Infantry.

36th Regiment N. Infantry—Ensign Bagshaw, wounded.

EDWARD LUGARD, Captain,
Assistant Adjutant-General

*Casualty Return of the Force under the Command of Major-General
Sir H. G. Smith, K.C.B.*

Camp, Aliwal, January 29, 1846.

Artillery—3 men, 30 horses, killed; 15 men, 9 horses, wounded; 5 men, 12 horses, missing.

Cavalry.

1st Brigade.

H. M.'s 16th Lancers—2 European officers, 56 men, 77 horses, killed; 6 European officers, 77 men, 22 horses, wounded; 1 man, 73 horses, missing.

3rd Light Cavalry—2 Native officers, 27 men, 42 horses, killed; 1 native officer, 21 men, 7 horses, wounded.

4th Irregular Cavalry—1 European officer, 1 horse, killed; 2 men, 3 horses, wounded.

Total—3 European officers, 2 Native officers, 83 men, 120 horses, killed; 6 European officers, 1 Native officer, 100 men, 32 horses, wounded; 1 man, 73 horses, missing.

2nd Brigade.

Governor-General's Body Guard—1 horse killed; 4 horses wounded; 3 horses missing.

1st Light Cavalry—9 men, 19 horses, killed; 2 European officers, 14 men, 9 horses, wounded; 4 horses missing.

5th Light Cavalry—1 man, 3 horses, killed; 1 Native officer, 8 men, 10 horses, wounded, 4 horses missing.

Shekawattee Cavalry—1 man, 2 horses, killed; 2 Native officers, 12 men, 15 horses, wounded; 1 horse missing.

Total—11 men, 25 horses, killed; 2 European officers, 3 Native officers, 34 men, 38 horses, wounded; 12 horses missing.

Infantry.

1st Brigade.

H. M.'s 31st Regiment—1 man killed; 1 European officer, 14 men, wounded.

24th Native Infantry—1 European officer, 5 men wounded; 7 men missing.

47th Native Infantry—1 man killed; 9 men wounded.

Total—2 men killed; 2 European officers, 28 men, wounded; 7 men missing.

2nd Brigade.

H. M.'s 50th Regiment—1 European officer, 9 men, killed; 10 European officers, 59 men, wounded; 4 men missing.

48th Native Infantry—1 Native officer, 9 men, 1 horse, killed; 4 European officers, 1 Native officer, 36 men, wounded.

Sirmoor Battalion—9 men, 1 horse, killed; 1 Native officer, 39 men, wounded.

Total—1 European officer, 1 Native officer, 27 men, 2 horses, killed; 14 European officers, 2 Native officers, 134 men, wounded; 4 men missing.

3rd Brigade.

H. M.'s 53rd Regiment—3 men killed; 8 men wounded; 2 men missing.

30th Native Infantry—4 men killed; 24 men wounded; 1 man missing.

Total—7 men killed; 32 men wounded; 3 men missing.

4th Brigade.

36th Native Infantry—3 men killed; 1 European officer, 10 men, wounded; 1 man missing.

Nusseeree Battalion—6 men killed; 16 men wounded.

Total—9 men killed; 1 European officer, 26 men, wounded; 1 man missing.

Shekawattee Infantry—2 men killed; 13 men wounded; 4 men missing.

Sappers and Miners—None killed or wounded.

Total killed—151 men, 177 horses.

Total wounded—413 men, 79 horses.

Total missing—25 men, 97 horses.

Grand Total of killed, wounded, and missing—589 men.

Grand Total of killed, wounded, and missing—353 horses.

H. G. SMITH, *M. General.*

Return of Ordnance captured from the Enemy, in Action at Ahwal, by the 1st Division of the Army of the Sutlej, under the personal Command of Major-General Sir Harry Smith, K.C.B., on the 28th January, 1846.

Camp, Ahwal, January 30, 1846.

Howitzers.

One brass 8-inch, 2 feet 9 inches long, serviceable

One brass 24-pounder, 3 feet 11 inches long, serviceable.

One copper 13-pounder, 3 feet 9 inches long, serviceable.

One brass 12-pounder, 4 feet 9 inches long, serviceable.

One brass 12-pounder, 4 feet 9 inches long, serviceable

One brass 7-pounder, 3 feet 5½ inches long, unserviceable.

One copper 12-pounder, 3 feet 9 inches long, serviceable

One copper 12-pounder, 3 feet 9 inches long, serviceable.

One copper 12-pounder, 3 feet 9 inches long, serviceable.

One brass 12-pounder, 3 feet 9 inches long, highly ornamented, serviceable.

One copper 9-pounder, 3 feet 11 inches long, highly ornamented, carriage inlaid with brass and steel, serviceable.

One copper 9-pounder, 2 feet 9½ inches long, serviceable.

One copper 12-pounder, 3 feet 4½ inches long, serviceable.

Mortars.

One brass 10-inch, 2 feet 3 inches long, mounted on a field carriage, serviceable.

One copper 8½-inch, 1 foot 9 inches long, mounted on a field carriage, serviceable.

One brass 6-inch, 1 foot 4½ inches long, a curious old piece, with highly carved and ornamented carriage, mounted on a field carriage.

One brass 4½ inch, 1 foot 4½ inches long, a curious old piece, mounted on a field carriage.

Guns.

One brass 8-pounder, 10 feet 2 inches long, ornamented with dolphins and rings, apparently a French battering gun, being heavy metal, serviceable.

*Casualty Return of the Force under the Command of Major-General
Sir H. G. Smith, K.C.B.*

Camp, Aliwal, January 29, 1846.

Artillery—3 men, 30 horses, killed, 15 men, 9 horses, wounded; 5 men, 12 horses, missing.

Cavalry.

1st Brigade.

H. M.'s 16th Lancers—2 European officers, 56 men, 77 horses, killed; 6 European officers, 77 men, 22 horses, wounded, 1 man, 73 horses, missing.

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Total—3 European officers, 2 Native officers, 83 men, 120 horses, killed; 6 European officers, 1 Native officer, 100 men, 32 horses, wounded; 1 man, 73 horses, missing.

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H. M.'s 31st Regiment—1 man killed; 1 European officer, 14 men, wounded.

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47th Native Infantry—1 man killed; 9 men wounded.

Total—2 men killed; 2 European officers, 28 men, wounded; 7 men missing.

2nd Brigade.

H. M.'s 50th Regiment—1 European officer, 9 men, killed; 10 European officers, 59 men, wounded; 4 men missing.

48th Native Infantry—1 Native officer, 9 men, 1 horse, killed; 4 European officers, 1 Native officer, 36 men, wounded.

Sirmoor Battalion—9 men, 1 horse, killed; 1 Native officer, 39 men, wounded.

Total—1 European officer, 1 Native officer, 27 men, 2 horses, killed; 14 European officers, 2 Native officers, 134 men, wounded; 4 men missing.

3rd Brigade.

H. M.'s 53rd Regiment—3 men killed; 8 men wounded; 2 men missing.

30th Native Infantry—4 men killed; 24 men wounded; 1 man missing.

Total—7 men killed; 32 men wounded; 3 men missing.

4th Brigade.

36th Native Infantry—3 men killed; 1 European officer, 10 men, wounded; 1 man missing.

Nusseeree Battalion—6 men killed; 16 men wounded.

Total—9 men killed; 1 European officer, 26 men, wounded; 1 man missing.

Shekawattee Infantry—2 men killed; 13 men wounded; 4 men missing.

Sappers and Miners—None killed or wounded.

Total killed—151 men, 177 horses.

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Grand Total of killed, wounded, and missing—589 men.

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H. G. SMITH, *M. General.*

Return of Ordnance captured from the Enemy, in Action at Ahwal, by the 1st Division of the Army of the Sutlej, under the personal Command of Major-General Sir Harry Smith, K.C.B., on the 28th January, 1846.

Camp, Ahwal, January 30, 1846.

Howitzers.

One brass 8-inch, 2 feet 9 inches long, serviceable

One brass 24-pounder, 3 feet 11 inches long, serviceable

One copper 13-pounder, 3 feet 9 inches long, serviceable

One brass 12-pounder, 4 feet 9 inches long, serviceable.

One brass 12-pounder, 4 feet 9 inches long, serviceable

One brass 7-pounder, 3 feet 5½ inches long, unserviceable.

One copper 12-pounder, 3 feet 9 inches long, serviceable

One copper 12-pounder, 3 feet 9 inches long, serviceable.

One copper 12-pounder, 3 feet 9 inches long, serviceable

One brass 12-pounder, 3 feet 9 inches long, highly ornamented, serviceable.

One copper 9-pounder, 3 feet 11 inches long, highly ornamented, carriage inlaid with brass and steel, serviceable.

One copper 9-pounder, 2 feet 9½ inches long, serviceable.

One copper 12-pounder, 3 feet 4½ inches long, serviceable.

Mortars.

One brass 10-inch, 2 feet 3 inches long, mounted on a field carriage, serviceable.

One copper 8½-inch, 1 foot 9 inches long, mounted on a field carriage, serviceable.

One brass 6-inch, 1 foot 4½ inches long, a curious old piece, with highly carved and ornamented carriage, mounted on a field carriage.

One brass 4½ inch, 1 foot 4½ inches long, a curious old piece, mounted on a field carriage.

Guns.

One brass 8-pounder, 10 feet 2 inches long, ornamented with dolphins and rings, apparently a French battering gun, being heavy metal, serviceable.

- One copper 8-pounder, 4 feet 11½ inches long, serviceable.
 One brass 8-pounder, 4 feet 11 inches long, serviceable.
 One brass 8-pounder, 5 feet 1 inch long, serviceable.
 One brass 7-pounder, 4 feet 11 inches long, heavy metal, serviceable.
 One brass 7-pounder, 4 feet 3½ inches long, heavy metal, serviceable.
 One copper 6½-pounder, 5 feet 1 inch long, serviceable.
 One brass 6-pounder, 5 feet long, serviceable.
 One brass 6-pounder, 4 feet 1 inch long, serviceable.
 One copper 6-pounder, 5 feet 3½ inches long, serviceable.
 One brass 6-pounder, 5 feet 3½ inches long, unserviceable, being heavy metal.
 One brass 6-pounder, 4 feet 11 inches long, serviceable, being heavy metal.
 One 6-pounder, 4 feet 10½ inches long, inscription in English characters, owner, King Runjeet Sing, Commander Meg Sing, Kawkur, maker Rai Sing, Lahore, 1833, No. 1, serviceable.
 One 6-pounder, 4 feet 8 inches long, serviceable.
 One 6-pounder, 4 feet 11½ inches long, highly ornamented carriage, serviceable.
 One 6-pounder, 4 feet 11 inches long, inscription in English characters, owner, King Runjeet Sing, Commander Meg Sing, Kawkur, maker Rai Sing, Lahore, 1833, No. 1, serviceable.
 One 6-pounder, 4 feet 8 inches, Persian inscription, serviceable.
 One 6-pounder, 5 feet long, no inscription, serviceable.
 One copper 6-pounder, 5 feet long, no inscription, serviceable.
 One brass 6-pounder, 4 feet 10½ inches long, no inscription, serviceable.
 One 6-pounder, 4 feet 10½ inches long, no inscription, serviceable.
 One copper 6-pounder, 4 feet 11 inches long, being highly ornamented, carriage inlaid with brass and steel, serviceable.
 One 6-pounder, 4 feet 11 inches long, being highly ornamented, carriage inlaid with brass and steel, serviceable.
 One brass 6-pounder, 4 feet 11 inches long, no inscription, serviceable.
 One brass 6-pounder, 4 feet 9½ inches long, no inscription, serviceable.
 One copper 6-pounder, 4 feet 10¼ inches long, no inscription, serviceable.
 One gun-metal 6-pounder, 4 feet 10½ inches long, no inscription, apparently a capital gun.
 One brass 5¼-pounder, 5 feet 7 inches long, Persian inscription, serviceable.
 One brass 5¼-pounder, 5 feet 9 inches long, no inscription, being heavy metal.
 One brass 4-pounder, 4 feet 7 inches long, no inscription, being heavy metal, serviceable.
 One copper 3-pounder, 3 feet long, Persian inscription, serviceable.
 One 3½ inch brass pounder, 4 feet 7 inches long, no inscription, serviceable, being heavy metal.
 One unknown, sunk in Sutlej.
 One unknown, sunk in Sutlej.
 One unknown, sunk in Sutlej.
 One unknown, sunk in Sutlej.
 One unknown, spiked on the opposite bank.
 One unknown, spiked on the opposite bank.
 One brass 6-pounder, taken possession of in the fort of Goongrana.
 One 9-pounder, no inscription, taken possession of in the fort of Goongrana.
 One 6 pounder, 4 feet 11 inches long, no inscription, serviceable.
 Seven unknown, sunk in the Sutlej.
 Two guns, since brought in, unknown.

Abstract of Captured Ordnance.

Serviceable—12 howitzers, 4 mortars, 33 guns; total, 49.
 Unserviceable—1 howitzer, 2 guns; total, 3.

Sunk in the Sutlej, and spiked on the opposite shore—13 guns.

Since brought in—2 guns.

Grand Total—67.

Forty swivel camel guns also captured, which have been destroyed.

G. LAWRENSON, Major,
2nd Brigade, Horse Artillery, Commanding Artillery 1st Division,
Army of the Sutlej

N.B.—The quantity of ammunition captured with the artillery, and found in the camp of the enemy, is beyond accurate calculation, consisting of shot, shell, grape, and small arm ammunition of every description and for every calibre. The powder found in the limbers and waggons of the guns, and in the magazines of the entrenched camp, has been destroyed, to prevent accidents. Six large hackery loads have also been appropriated to the destruction of forts in the neighbourhood. As many of the shot and shell as time would admit of being collected, have been brought into the Park.—The shells, being useless, have been thrown into the river. The shot will be appropriated to the public service.

G. LAWRENSON, Major,
2nd Brigade, Horse Artillery, Commanding Artillery 1st Division,
Army of the Sutlej.

No. 15.

The Governor-General of India to the Secret Committee.

(Extract.) *Camp, Kanha Kutchwa, February 19, 1846. (No. 6.)*

MY last letter, dated the 3rd instant, communicated the details of the victory of Aliwal, obtained by the force under the command of Major-General Sir Harry Smith, K.C.B., on the 28th ultimo

The immediate result of that victory was the evacuation by the Sikh garrisons of all the forts hitherto occupied by detachments of Lahore soldiers, on this side of the River Sutlej, and the submission of the whole of the territory on the left bank of that river, to the British Government.

Rajah Golab Sing, on being installed as Minister, immediately put himself in communication with us, proffering every assistance in his power for the furtherance of any ends in regard to the State of Lahore which we might have in view. At the same time, he frankly confessed that the Sikh army, in its present condition, was beyond his power, that the Durbar could not coerce it, and that though he might cause it to withdraw from its entrenched position on the left bank of the river, neither he nor any one else could guarantee the performance of any actual service, or the fulfilment of any conditions, till, either by force or stratagem, the army was broken up.

The Sikh army remained in its entrenched position; and, though on the first intelligence of the victory of Aliwal, and at the sight of the numerous bodies which floated from the neighbourhood of that battle-field to the bridge of boats at Sobraon, they seemed much shaken and disheartened, and though many were reported to have left them and gone to their homes, yet, after a few days, the Sikh troops seemed as confident as ever of being able to defy us in their entrenched position, and to prevent our passage of the river.

The Commander-in-chief was not in a state to take advantage of the enemy's defeat at Aliwal, by an attack on his entrenched position at Sobraon, until the troops under Major-General Sir H. Smith should have rejoined his Excellency's camp, and the siege-train and ammunition should have arrived from Delhi. The first portion of the siege train, with the reserve ammunition for 100 field guns, reached the Com-

mander-in-chief's camp, on the 7th and 8th instant. On the latter day, the brigades which had been detached from the main army for the operations in the neighbourhood of Loodiana, rejoined the Commander-in-chief. Within forty-eight hours from that time, the enemy's intrenched camp was carried by storm, his army almost annihilated, sixty-seven guns captured, and, during the night of the 10th, on which this glorious victory was achieved, the advanced brigades of the British army were thrown across the Sutlej. Early on the 12th our bridge was completed; and, on the 13th, the Commander-in-chief, with the whole force, excepting the heavy train, and the division left to collect and bring in the wounded to Ferozepore, with the captured guns, were encamped in the Punjab, at Kussoor, sixteen miles from the bank of the river, opposite Ferozepore, and thirty-two miles from Lahore.

For the details of these important and decisive operations, I must refer you to the inclosures of this dispatch.

I cannot, however, refrain from expressing briefly the pride and gratification with which I communicate to you these results, so eminently evincing the energetic decision of the Commander-in-chief's operations, and the indomitable courage of the British Indian army under his Excellency's command; and which will, I am convinced, be met with a corresponding feeling by the Home Government and the British Public.

I returned to Ferozepore from the field of Sobraon, on the afternoon of the 10th, within a few hours after the action had ceased, to superintend the passage of the Sutlej by our troops.

I joined the camp of the Commander-in-chief at Kussoor on the morning of the 14th.

On the arrival at Lahore of the news of the complete victory of Sobraon, the Ranee and Durbar urged Rajah Golab Sing to proceed immediately to the British camp, to beg pardon, in the name of the Durbar and the Sikh Government, for the offence which had been committed, and to endeavour to negotiate some arrangement for the preservation of the country from utter ruin.

The Rajah first stipulated that the Durbar and the chief officers of the army, as well as the members of the Panchayets, should sign a solemn declaration that they would abide by such terms as he might determine on with the British Government. This is said to have been immediately acceded to; and, on the 15th, Rajah Golab Sing, Dewan Dena Nath, and Facker Nooroodeen arrived in my camp at Kussoor, with full credentials from the Maharajah, and empowered to agree, in the name of the Maharajah and the Government, to such terms as I might dictate. The Rajah was accompanied by the Barukzye Chief, Seoltan Mahomed Khan, and several of the most influential Sirdars of the nation.

I received the Rajah in Durbar as the representative of an offending Government, omitting the forms and ceremonies usually observed on the occasion of friendly meetings; and refusing to receive, at that time; the proffered nuzzurs and complimentary offerings.

I briefly explained to the Rajah and his colleagues, that the offence which had been committed was most serious, and the conduct of the chiefs and army was most unwarrantable,—that this offence had been perpetrated without the shadow of any cause of quarrel on the part of the British Government, in the face of an existing Treaty of amity and friendship,—and that, as all Asia had witnessed the injurious conduct of the Sikh nation, retributive justice required that the proceedings of the British Government should be of a character which would mark to the whole world that insult could not be offered to the British Government, and our provinces invaded by a hostile army, without signal punishment.

I told the Rajah, that I recognized the wisdom, prudence, and good feeling evinced by him in having kept himself separate from these unjustifiable hostilities of the Sikhs, and that I was prepared to mark my sense of that conduct, in the proceedings which must now be carried through. I stated, in the most marked manner and words, my satisfaction that he who had not participated in the offence, and whose wisdom and good feeling towards the British Government were well known, had been the

person chosen by the Durbar as their representative for negotiating the means by which atonement might be made, and the terms on which the Sikh Government might be rescued from impending destruction, by a return to amicable relations between the British Government and the Lahore State.

I told the Rajah and his colleagues, that Mr Currie, the Chief Secretary to Government, and Major Lawrence, my Agent, were in full possession of my determination on the subject; that they were in my entire confidence; and I referred the chiefs to those officers, that they might learn from them the principles and details of adjustment which I had determined to offer for their immediate acceptance.

The chiefs remained the greater part of the night in conference with Mr. Currie and Major Lawrence; but, before they separated, a paper was signed by them, to the effect, that all that had been demanded would be conceded, and that arrangements would be immediately made, as far as were in the power of the chiefs, to carry out all the details that had been explained to them.

The terms demanded and conceded are, the surrender, in full sovereignty, of the territory, hill and plain, lying between the Sutlej and Beas Rivers, and the payment of one and a half crores of rupees, as indemnity for the expenses of the war,—the disbandment of the present Sikh army, and its re-organization on the system and regulations, with regard to pay, which obtained in the time of the late Maharajah Runjeet Sing,—the arrangements for limiting the extent of the force to be henceforth employed, to be determined on in communication with the British Government,—the surrender to us of all the guns that had been pointed against us,—the entire regulation and control of both banks of the River Sutlej, and such other arrangements for settling the future boundaries of the Sikh State, and the organization of its administration, as might be determined on at Lahore.

It was further arranged, that the Maharajah, with Bhaee Ram Sing and the other chiefs remaining at Lahore, should forthwith repair to the camp of the Governor-General, and place themselves in my hands, to accompany my camp to Lahore.

I had prepared, for circulation on my arrival at Kussoor, a proclamation declaratory of my present views and intentions with regard to the Punjab,—a translation of which was given to Rajah Golab Sing and his colleagues, and a copy of which is inclosed for your information.

I consider the Beas a better military frontier, in many important respects, as proved by the inconvenience and danger experienced during the present campaign, in having the fort and cantonments of Loodiana so close upon our communications to the rear during the recent operations of the Sikh force under Runjore Sing, operating from Philoor.

In a political point of view, it also appeared to me to be highly expedient to proclaim, in a manner that could not be misunderstood, to the Durbars of Hindoostan, by the retention of some part of the Punjab territories, that the atonement of the Lahore State for the insult and injury offered to the British Government, must be of a character calculated to make a permanent impression throughout Asia. It appeared to me to be most desirable to weaken a State, which had, in the course of these operations, brought into the field warlike resources of a more perfect system of military organization than any to which our arms have heretofore been opposed; and that a loss of territory, population, and revenue, were alike required by policy and justice. The country of the Jhullunder Dooab is very fertile, the people, generally, well affected to the British Government, and the revenues of this tract, with some of the confiscated territories on the left bank of the Sutlej, may be estimated, on the most moderate computation, to yield to the State thirty lacs of rupees per annum, after defraying all expenses of administration, and the cost of any increase to military establishments that its occupation may involve.

I ascertained from his Excellency the Commander-in-chief, that the whole of the troops, with the heavy guns, would not be up, so as to admit of the army marching from Kussoor, in the compact array that was desirable, before the morning of the 18th. I, therefore, acquiesced in the

urgent request of Rajah Golab Sing, that the army should not move until that day, to enable the Maharajah to come from Lahore to my camp.

It was determined that the Maharajah should meet me at Lulleeanee, on the 18th (yesterday), when the camp arrived at that place. On the afternoon of the 17th, it was announced to me, that the Maharajah, with Bhaee Ram Sing and other chiefs, had instantly, on receiving the summons from Rajah Golab Sing, hastened from Lahore; that they had arrived at Rajah Golab Sing's camp, pitched about a mile beyond our picquets; and that his Highness was ready at once to wait upon me.

I considered it right to abide by the first arrangement, and I directed that it should be intimated to the Maharajah and the chiefs, that I would receive his Highness, on the day appointed, at Lulleeanee, eleven miles in advance, on the road to Lahore.

Yesterday afternoon, the Maharajah, attended by Rajah Golab Sing, Dewan Deena Nath, Fakeer Noorooddeen, Bhaee Ram Sing, and ten or twelve other chiefs, had an interview with me in my Durbar tent, where the Commander-in-chief and Staff had been invited by me to be present to receive them.

As on the occasion of Rajah Golab Sing's visit, I omitted the usual salute to the Maharajah, and curtailed the other customary ceremonies on his arrival at my tent, causing it to be explained that, until submission had been distinctly tendered by the Maharajah in person, he could not be recognized and received as a friendly Prince.

Submission was tendered by the Minister and Chiefs, who accompanied the Maharajah, and the pardon of the British Government was requested on such conditions as I should dictate, in the most explicit terms; after which, I stated that, the conditions having been distinctly made known to the Minister, Rajah Golab Sing, and the chiefs accredited with him, it was unnecessary to discuss them in that place, and in the presence of the young Maharajah, who was of too tender an age to take part in such matters; and that, as all the requirements of the British Government had been acquiesced in, and their fulfilment promised in the name of the Maharajah and Durbar, I should consider myself justified in treating the young Maharajah, from that moment, as a prince restored to the friendship of the British Government.

After some remarks regarding the fame and character of the late Maharajah Runjeet Sing, and my hope that the young prince would follow the footsteps of his father, and my desire that such relations should henceforward exist between the two States as would tend to the benefit of both, I broke up the Durbar.

On his taking leave I caused the customary presents to be made to the Maharajah; and, on his retiring from my tent, the usual salute was fired from our 24-pounders, drawn up at the bottom of the street of tents for the purpose.

In the course of discussion, the Minister asked if the young Maharajah should now return to the Rancee at Lahore, or if it was my desire that he should remain at my camp, intimating that it was for me to dispose of the young chief as I pleased, and as I might consider best for his Highness's interests. I replied, that I thought it advisable that his Highness's camp should accompany mine, and that I should myself conduct him to his capital, which I purposed reaching in two marches—that is, by to-morrow morning.

The remains of the Sikh army, under Sirdar Tej Sing and Rajah Lal Sing, on retiring from Sobraon, encamped at Raebam, about eighteen miles east of Lahore. They are variously estimated at from 14,000 to 20,000 horse and foot, with about thirty-five guns. They have been positively ordered by Rajah Golab Sing to remain stationary; and the Mahomedan and Nujeeb battalions, in the interest of the Minister, have been placed in the citadel, and at the gates of Lahore, with strict orders to permit no armed Sikh soldier to enter the town.

It was intimated to me, late last night, that the inhabitants of Lahore and Umritsir were in great alarm at the approach of our army to the capital, and were under apprehension that those cities might be sacked and plundered by our troops. I therefore caused the proclamation, a

copy of which is inclosed, to be issued to the inhabitants of those cities, informing them of the result of my interview with the Maharajah, and assuring them of protection, in person and property, if the Durbar acted in good faith, and no farther hostile opposition was offered by the army.

On our arrival at this place, (Kanha Kutchwa, about sixteen miles from the city of Lahore, and twelve from the cantonments,) heavy firing for the best part of an hour was heard. This proved to be a salute of seven rounds from every gun in Lahore, in honor of the result of the Maharajah's meeting with me yesterday, and in joy at the prospect of the restoration of amicable relations.

We march in the morning to the cantonments of Lahore, a few miles from the city. I anticipate no difficulty in bringing affairs to a satisfactory and speedy adjustment. Our proceedings at the capital will form the subject of my next dispatch.

Inclosure 1 in No. 15.

General Order by the Right Honorable the Governor-General of India

Camp, Kussoor, February 14, 1846.

THE Governor-General having received from his Excellency the Commander-in-chief the dispatch annexed to this paper, announces to the army and to the people of India, for the fourth time during this campaign, a most important and memorable victory, obtained by the army of the Sutlej over the Sikh forces at Sobraon, on the 10th instant.

On that day the enemy's strongly entrenched camp, defended by 35,000 men and sixty-seven pieces of artillery, exclusive of heavy guns on the opposite bank of the river, was stormed by the British army, under the immediate command of his Excellency Sir Hugh Gough, Bart., G.C.B., and in two hours the Sikh forces were driven into the river with immense loss; sixty-seven guns being captured by the victors.

The Governor-General most cordially congratulates the Commander-in-chief and the British army on this exploit, one of the most daring ever achieved, by which, in open day, a triple line of breastworks, flanked by formidable redoubts, bristling with artillery, manned by thirty-two regular regiments of infantry, was assaulted and carried by the forces under his Excellency's command.

This important operation was most judiciously preceded by a cannonade from the heavy howitzers and mortars which had arrived from Delhi on the 8th instant, the same day on which the forces under Major-General Sir Harry Smith, which had been detached to Loodiana, and had gained the victory of Aliwal, rejoined the Commander-in-chief's camp.

The vertical fire of the heavy ordnance had the effect intended by his Excellency. It shook the enemy's confidence in works so well and so laboriously constructed, and compelled them to seek shelter in the broken ground within their camp.

The British infantry, formed on the extreme left of the line, then advanced to the assault, and, in spite of every impediment, cleared the entrenchments, and entered the enemy's camp. Her Majesty's 10th, 53rd, and 80th Regiments, with the 33rd, 43rd, 59th, and 63rd Native Infantry, moving at a firm and steady pace, never fired a shot till they had passed the barriers opposed to them, a forbearance much to be commended and most worthy of constant imitation, to which may be attributed the success of their first effort, and the small loss they sustained. This attack was crowned with the success it deserved, and (led by its gallant commander, Major-General Sir Robert Dick) obtained the admiration of the army, which witnessed its disciplined valour; when checked by the formidable obstacles and superior numbers to which the attacking division was exposed, the 2nd division, under Major-General Gilbert, afforded the most opportune assistance by rapidly advancing to the attack of the enemy's batteries, entering their fortified position after a

severe struggle, and sweeping through the interior of the camp. This division inflicted a very severe loss on the retreating enemy.

The same gallant efforts, attended by the same success, distinguished the attack of the enemy's left, made by the 1st division under the command of Major-General Sir H. Smith, K.C.B., in which the troops nobly sustained their former reputation.

These three divisions of infantry, concentrated within the enemy's camp, drove his shattered forces into the river, with a loss which far exceeded that which the most experienced officers had ever witnessed.

Thus terminated, in the brief space of two hours, this most remarkable conflict, in which the military combinations of the Commander-in-chief were fully and ably carried into effect with his Excellency's characteristic energy. The enemy's select regiments of regular infantry have been dispersed, and a large proportion destroyed, with the loss, since the campaign began, of 220 pieces of artillery taken in action.

The same evening, six regiments of native infantry crossed the Sutlej. On the following day the bridge of boats was nearly completed by that able and indefatigable officer, Major Abbott, of the engineers; and the army is this day encamped at Kusoor, thirty-two miles from Lahore.

The Governor-General again most cordially congratulates the Commander-in-chief on the important results obtained by this memorable achievement. The Governor-General, in the name of the Government and of the People of India, offers to his Excellency the Commander-in-chief, to the general officers, and all the officers and troops under their command, his grateful and heartfelt acknowledgments for the services they have performed.

To commemorate this great victory the Governor-General will cause a medal to be struck, with "Sobraon" engraved upon it, to be presented to the victorious army in the service of the East India Company, and requests his Excellency the Commander-in-chief to forward the lists usually furnished of those engaged.

The Governor-General deeply regrets the loss of the brave officers and men who have fallen on this occasion. Major-General Sir Robert Dick, K.C.B., who led the attack, received a mortal wound after he had entered the enemy's entrenchments. Thus fell, most gloriously, at the moment of victory, this veteran officer, displaying the same energy and intrepidity as when, thirty-five years ago, in Spain, he was the distinguished leader of the 42nd Highlanders.

The army has also sustained a heavy loss by the death of Brigadier Taylor, commanding the 3rd brigade of the 2nd division, a most able officer, and very worthy to have been at the head of so distinguished a corps as Her Majesty's 29th Regiment, by which he was beloved and respected.

The Company's service has lost an excellent officer in Captain Fisher, who fell at the head of the brave Sirmoor Regiment, which greatly distinguished itself.

The Governor-General has much satisfaction in again offering to Major-General Sir Harry Smith, K.C.B., commanding the 1st division of infantry, his best thanks for his gallant services on this occasion, by which he has added to his well-established reputation.

The Governor-General acknowledges the meritorious conduct of Brigadier Penny and Brigadier Hicks, commanding brigades in the 1st division.

Her Majesty's 31st and 50th Regiments greatly distinguished themselves, as well as the 42nd and 47th Native Infantry and the Nusseeree Battalion.

The Governor-General's thanks are also due to Lieutenant-Colonel Ryan, commanding Her Majesty's 50th, who, he regrets to hear, has been severely wounded.

To Major-General Gilbert, commanding the 2nd division, the Governor-General is most happy to express his acknowledgments for the judgment, coolness, and intrepidity displayed by him on every occasion since the campaign opened; and, on the present, the promptitude and energy of his attack essentially contributed to ensure the success of the day.

The Governor-General trusts that the wound received by Brigadier Maclaren will not long deprive the service of one of its best officers.

Her Majesty's 29th, and the 1st European Regiments, and the 16th, 48th, 61st Native Infantry, and the Sirmoor Battalion, have entitled themselves, by their gallant conduct, to the thanks of the Government.

To Brigadier Stacy, on whom the command of the 2nd division devolved, the Governor-General's thanks are especially due, for the able manner in which the attack within the enemy's camp was directed.

The Governor-General is also glad to have this opportunity of acknowledging the services of Brigadier Wilkinson, commanding the 6th brigade of the attacking division.

The brigade composed of Her Majesty's 9th and 62nd Regiments, and the 26th Native Infantry, under the command of Brigadier the Honourable T Ashburnham, placed in support of the attacking division, by its firm and judicious advance, contributed to the success of the assault.

The cavalry, under the command of Major-General Sir J. Thackwell, K.C.B., Brigadiers Cureton, Scott, and Campbell, were well in hand, and ready for any emergency. Her Majesty's 3rd Light Dragoons, as usual, were in the foremost ranks, and distinguished themselves under their commanding officer, Lieutenant-Colonel White.

Brigadier Smith, the commanding engineer, fully accomplished the Commander-in-chief's instructions; and to Captain Baker and Lieutenant Becher of the engineers, the Governor-General's acknowledgments are due, for leading the division of attack into the enemy's camp, these officers will maintain the reputation of their corps whenever gallantry or science may be required from its members.

Major Abbott, of the engineers, exclusive of his exertions in constructing the bridge of boats, displayed much intelligence in the field. The merits of Major Reilly, commanding that most useful corps, the sappers and miners, are acknowledged. The ability and zeal of Brigadier Irvine, the senior officer of the engineer corps, are well known to the Governor-General, and his forbearance in not assuming the command, having reached the camp on the preceding evening, is duly appreciated.

Brigadier Gowań, commanding the artillery, ably directed the practice of the heavy artillery on the left, assisted by Lieutenant-Colonel Bid-dulph, Lieutenant-Colonel Brooke, Lieutenant-Colonel Wood, and Captain Pillans.

On the right, the howitzer practice was well sustained by Major Grant.

The troops of horse artillery of Lieutenant-Colonel Lane and Captain Fordyce, greatly assisted the attack of our infantry on the left; and, whilst the enemy were crossing the river, the fire of Lieutenant-Colonel Alexander's troop was most effective.

The troops of Captain Horsford and Captain Swinley also did good service.

The Governor-General's acknowledgments are due to Major Grant, Deputy Adjutant-General, and to his department generally, for their ability and intelligence. To the Quartermaster-General the service is much indebted for the judgment and zeal which mark all the proceedings of that officer, and the Governor-General offers his acknowledgments to him, to the Deputy Quartermaster-General, Lieutenant-Colonel Drummond, and the officers of that department.

To Lieutenant-Colonel Barr, Acting Adjutant-General, and to Lieutenant-Colonel Gough, Acting Quartermaster-General, Queen's Service, the Governor-General's thanks are due. He regrets the temporary privation of the services of these officers by the wounds they have received.

To Lieutenant-Colonel Birch, Judge-Advocate-General, the Governor-General again has to repeat his thanks for his intelligence and gallantry.

To Lieutenant-Colonel Havelock, Persian Interpreter, the Governor-General offers his best thanks.

The Governor-General desires to record his obligations to Count Ravensburgh, and to the officers of His Royal Highness's Staff, Count Oriola and Count Greuben. This gallant and amiable Prince, with his

brave associates of the Prussian Army, has shared all the dangers, and secured for himself the respect and admiration of the British army; and the Governor-General begs to convey to His Royal Highness and to his Staff, his cordial thanks for the ready offers of their services on the field of battle.

The Governor-General has now to acknowledge the services rendered by the officers attached to his own staff.

He renews to Lieutenant-Colonel Benson, of the military board, his strong sense of the important services rendered by that officer during the whole of this campaign, whose general information in military details, and cool judgment in action, deserve this acknowledgment.

Lieutenant-Colonel Wood, the Governor-General's Military Secretary, displayed, on the 10th instant, the same intelligence and gallantry as on former occasions.

Major Lawrence, the Governor-General's Political Agent, has, throughout these operations, afforded most useful assistance by his ability, zeal, and activity in the field, as well as on every other occasion.

Captain Mills, Assistant Political Agent, and honorary Aide-de-Camp to the Governor-General, has shown the most unwearied devotion to the service, as well in the field as in the exercise of his personal influence in the protected Sikh States.

The Governor-General's thanks are also due to Captain Cunningham, engineers, Assistant Political Agent.

The Governor-General's Aides-de-Camp, Captain Grant, Lord Arthur Hay, Captain Peel, and Captain Hardinge, by their gallantry and intelligence, rendered themselves most useful.

In the operations of this campaign, in which officers of the civil service have accompanied the camp, and participated in the risks incidental to active warfare, the Governor-General's thanks are due for their readiness in encountering these risks, and their endurance of privations.

The Governor-General acknowledges the able assistance he has at all times received from the Political Secretary, F. Currie, Esq., His acknowledgments are also due to his Private Secretary, C. Hardinge, Esq., and to the Assistant Political Agent, R. Cust, Esq.

Lieutenant-Colonel Parsons, deputy commissary-general, has succeeded in keeping the army well supplied; and the Governor-General is much satisfied with his exertions, and those of the officers under his command. The army took the field under circumstances of great difficulty; and, by strenuous exertions, and good arrangements on the part of the lieutenant-colonel, the army has now a large supply in reserve—a result very creditable to the chief of the commissariat department. The manner in which Captain Johnston has conducted the commissariat duties intrusted to him, has also met with the Governor-General's approbation.

To Dr. Macleod, superintending surgeon, and to Dr. Graham, as well as to the officers of the medical department generally, the Governor-General offers his acknowledgments.

His thanks are due to Dr. Walker, surgeon to the Governor-General, whose ability is only to be equalled by his zeal and humanity.

A salute of twenty-one guns will be fired in celebration of the victory of Sobraon at all the usual stations of the army.

By order of the Right Honorable the Governor-General of India.

F. CURRIE,

Secretary to the Government of India, with the Governor-General.

Inclosure 2 in No. 15.

General Sir Hugh Gough, Baronet, G C.B., Commander-in-chief of the Forces in India, to the Governor-General of India.

Head-Quarters, Army of the Sutlej,
Camp, Kussoor, February 13, 1846

Right Honorable Sir,

THIS is the fourth dispatch which I have had the honor of addressing to you since the opening of the campaign. Thanks to Almighty God, whose hand I desire to acknowledge in all our successes, the occasion of my writing now is to announce a fourth and most glorious and decisive victory.

My last communication detailed the movements of the Sikhs and our counter-mancuvres since the great day of Ferozeshah. Defeated on the upper Sutlej, the enemy continued to occupy his position on the right bank, and his formidable *tête-de-pont* and entrenchments on the left bank of the river, in front of the main body of our army. But, on the 10th instant, all that he held of British territory, which was comprised in the ground on which one of his camps stood, was stormed from his grasp, and his audacity was again signally punished by a blow, sudden, heavy, and overwhelming. It is my gratifying duty to detail the measures which have led to this glorious result.

The enemy's works had been repeatedly reconnoitred during the time of my head-quarters being fixed at Nihalkee, by myself, my departmental staff, and my engineer and artillery officers. Our observations, coupled with the reports of spies, convinced us that there had devolved on us the arduous task of attacking a position covered with formidable entrenchments, not fewer than 30,000 men, the best of the Khalsa troops, with seventy pieces of cannon, united, by a good bridge, to a reserve on the opposite bank, on which the enemy had a considerable camp and some artillery, commanding and flanking his field-works on our side. Major-General Sir Harry Smith's division having rejoined me on the evening of the 8th, and part of my siege-train having come up with me, I resolved, on the morning of the 10th, to dispose our mortars and battering guns on the alluvial land within good range of the enemy's works. To enable us to do this, it was necessary first to drive in the enemy's picquets at the post of observation in front of Rodawala, and at the Little Sobraon. It was directed that this should be done during the night of the 9th, but the execution of this part of the plan was deferred owing to misconceptions and casual circumstances until near daybreak. The delay was of little importance, as the event showed that the Sikhs had followed our example, in occupying the two posts in force by day only. Of both, therefore, possession was taken without opposition. The battering and disposable field-artillery was then put in position on an extended semi-circle, embracing within its fire the works of the Sikhs. It had been intended that the cannonade should have commenced at daybreak; but so heavy a mist hung over the plain and river that it became necessary to wait until the rays of the sun had penetrated it and cleared the atmosphere. Meanwhile, on the margin of the Sutlej, on our left, two brigades of Major-General Sir Robert Dick's division, under his personal command, stood ready to commence the assault against the enemy's extreme right. His 7th brigade, in which was the 10th Foot, reinforced by the 53rd Foot, and led by Brigadier Stacy, was to head the attack, supported at 200 yards distance by the 6th Brigade, under Brigadier Wilkinson. In reserve was the 5th Brigade, under Brigadier the Honourable T. Ashburnham, which was to move forward from the entrenched village of Rodawala, leaving, if necessary, a regiment for its defence. In the centre, Major-General Gilbert's division was deployed for support or attack, its right resting on and in the village of the Little Sobraon. Major-General Sir Harry Smith's division was formed near the village of Guttah, with its right thrown up towards the Sutlej. Brigadier Cureton's cavalry threatened, by feigned attacks, the ord at Hurrekee and the enemy's horse, under Rajah Lal Sing Misr, on the opposite bank. Brigadier Campbell, taking an intermediate position

in the rear, between Major-General Gilbert's right and Major-General Sir Harry Smith's left, protected both. Major-General Sir Joseph Thackwell, under whom was Brigadier Scott, held in reserve on our left, ready to act as circumstances might demand, the rest of the cavalry.

Our battery of nine-pounders, enlarged into twelves, opened near the Little Sobraon, with a brigade of howitzers formed from the light field batteries and troops of horse artillery, shortly after day break. But it was half-past six before the whole of our artillery fire was developed. It was most spirited and well directed. I cannot speak in terms too high of the judicious disposition of the guns, their admirable practice, or the activity with which the cannonade was sustained. But, notwithstanding the formidable calibre of our iron guns, mortars, and howitzers, and the admirable way in which they were served, and aided by a rocket battery, it would have been visionary to expect that they could, within any limited time, silence the fire of seventy pieces behind well-constructed batteries of earth, plank, and fascines, or dislodge troops, covered either by redoubts or epaulments, or within a treble line of trenches. The effect of the cannonade was, as has been since proved by an inspection of the camp, most severely felt by the enemy; but it soon became evident that the issue of this struggle must be brought to the arbitrement of musketry and the bayonet.

At nine o'clock, Brigadier Stacy's brigade, supported on either flank by Captains Horsford's and Fordyce's batteries, and Lieutenant-Colonel Lane's troop of Horse Artillery, moved to the attack in admirable order. The infantry and guns aided each other correlatively. The former marched steadily on in line, which they halted only to correct when necessary. The latter took up successive positions at the gallop, until at length they were within 300 yards of the heavy batteries of the Sikhs; but, notwithstanding the regularity and coolness, and scientific character of this assault, which Brigadier Wilkinson well supported, so hot was the fire of cannon, musketry, and zumboorucks, kept up by the Khalsa troops, that it seemed for some moments impossible that the intrenchments could be won under it; but soon, persevering gallantry triumphed, and the whole army had the satisfaction to see the gallant Brigadier Stacy's soldiers driving the Sikhs in confusion before them within the area of their encampment. The 10th Foot, under Lieutenant-Colonel Franks, now for the first time brought into serious contact with the enemy, greatly distinguished themselves. This regiment never fired a shot until it had got within the works of the enemy. The onset of Her Majesty's 53rd Foot was as gallant and effective. The 43rd and 59th Native Infantry, brigaded with them, emulated both in cool determination.

At the moment of this first success, I directed Brigadier the Honourable T. Ashburnham's brigade to move on in support; and Major-General Gilbert's and Sir Harry Smith's divisions to throw out their light troops to threaten the works, aided by artillery. As these attacks of the centre and right commenced, the fire of our heavy guns had first to be directed to the right, and then gradually to cease; but, at one time, the thunder of full 120 pieces of ordnance reverberated in this mighty combat through the valley of the Sutlej; and as it was soon seen that the weight of the whole force within the Sikh camp was likely to be thrown upon the two brigades that had passed its trenches, it became necessary to convert into close and serious attacks the demonstrations with skirmishers and artillery of the centre and right; and the battle raged with inconceivable fury from right to left. The Sikhs, even when at particular points their entrenchments were mastered with the bayonet, strove to regain them by the fiercest conflict sword in hand. Nor was it until the cavalry of the left, under Major-General Sir Joseph Thackwell, had moved forward and ridden through the openings in the entrenchments made by our sappers, in single file, and reformed as they passed them, and the 3rd Dragoons, whom no obstacle usually held formidable by horse appears to check, had, on this day as at Ferozeshah, galloped over and cut down the obstinate defenders of batteries and field works, and until the full weight of three divisions of infantry, with every field artillery gun which could be sent to our aid, had been cast into the scale, that victory finally declared for the

British. The fire of the Sikhs first slackened, and then nearly ceased; and the victors, then pressing them on every side, precipitated them in masses over their bridge, and into the Sutlej, which a sudden rise of seven fathoms had rendered hardly fordable. In their efforts to reach the right bank through the deepened water, they suffered from our horse artillery a terrible carnage. Hundreds fell under this cannonade, hundreds upon hundreds were drowned in attempting the perilous passage. Their awful slaughter, confusion, and dismay were such as would have excited compassion in the hearts of their generous conquerors, if the Khalsa troops had not, in the earlier part of the action, sullied their gallantry by murthering and barbarously mangling every wounded soldier whom, in the vicissitudes of attack, the fortune of war left at their mercy. I must use in this narrative especially to notice the determined hardihood and bravery with which our two battalions of Goorkhas, the Sirmoor and Nusseeree, met the Sikhs, wherever they were opposed to them. Soldiers of small stature, but indomitable spirit, they vied, in ardent courage in the charge, with the grenadiers of our own nation, and, armed with the short weapon of their mountains, were a terror to the Sikhs throughout this great combat.

Sixty-seven pieces of cannon, upwards of 200 camel-swivels (zumboorucks), numerous standards, and vast munitions of war, captured by our troops, are the pledges and trophies of our victory. The battle was over by eleven in the morning; and, in the forenoon, I caused our engineers to burn a part, and to sink a part of the vaunted bridge of the Khalsa army, across which they had boastfully come once more to defy us, and to threaten India with ruin and devastation.

We have to deplore a loss, severe in itself, but certainly not heavy when weighed in the balance against the obstacles overcome, and the advantages obtained. I have especially to lament the fall of Major-General Sir Robert Dick, K.C.B., a gallant veteran of the Peninsula and Waterloo campaigns. He survived only until evening the dangerous grape-shot wound which he received close to the enemy's entrenchments, whilst personally animating, by his dauntless example, the soldiers of Her Majesty's 80th Regiment, in their career of noble daring. Major-General Gilbert, to whose gallantry and unceasing exertions I have been so deeply indebted, and whose services have been so eminent throughout this eventful campaign, and Brigadier Stacy, the leader of the brigade most hotly and successfully engaged, both received contusions. They were such as would have caused many men to retire from the field, but they did not interrupt, for a moment, the efforts of these heroic officers. Brigadier Maclaren, so distinguished in the campaigns in Afghanistan, at Maharajpore, and now again in our conflicts with the Sikhs, has been badly wounded by a ball in the knee. Brigadier Taylor, C.B., one of the most gallant and intelligent officers in the army, to whom I have felt deeply indebted on many occasions, fell in this fight at the head of his brigade in close encounter with the enemy, and covered with honorable wounds. Brigadier Penny, of the Nusseeree Battalion, commanding the 2nd Brigade, has been wounded, but not, I trust, severely. I am deprived for the present of the valuable services of Lieutenant-Colonel J. B. Gough, C.B., Acting Quartermaster-General of Her Majesty's troops, whose aid I have so highly prized in all my campaigns in China and India. He received a wound from a grape shot, which is severe, but I hope not dangerous. Lieutenant-Colonel Barr, Acting Adjutant-General of Her Majesty's Forces, whose superior merit as a staff officer I have before recorded, has suffered a compound fracture in the left arm by a ball. It is feared that amputation may become necessary. Lieutenant-Colonels Ryan and Petit, of the 50th Foot, were both badly wounded, with that gallant regiment. Captain John Fisher, commandant of the Sirmoor Battalion, fell at the head of his valiant little corps, respected and lamented by the whole army.

I have now to make the attempt, difficult, nay, impracticable I deem it, of expressing in adequate terms, my sense of obligation to those who especially aided me by their talents and self-devotion in the hard-fought field of Sobraon.

First, Right Honorable Sir, you must permit me to speak of yourself. Before the action, I had the satisfaction of submitting to you my plan of attack, and I cannot describe the support which I derived from the circumstance of its having in all its details met your approbation. When a soldier of such sound judgment and matured experience as your Excellency, assured me that my projected operation deserved success, I could not permit myself to doubt that, by the blessing of Divine Providence, the victory would be ours. Nor did your assistance stop here; though suffering severely from the effects of a fall, and unable to mount on horseback without assistance, your uncontrollable desire to see this army once more triumphant, carried you into the hottest of the fire, filling all who witnessed your exposure to such peril at once with admiration of the intrepidity that prompted it, and anxiety for your personal safety, involving so deeply in itself the interests and happiness of British India. I must acknowledge my obligation to you for having, whilst I was busied with another portion of our operations, superintended all the arrangements that related to laying our bridge across the Sutlej, near Ferozepore. Our prompt appearance on this side of the river after victory, and advance to this place, which has enabled us to surprise its fort, and encamp, without opposition, in one of the strongest positions in the country, is the result of this invaluable assistance.

The major-generals of divisions engaged deserve far more commendation than I am able, within the limits of a dispatch, to bestow. Major-General Sir Robert Dick, as I have already related, has fallen on a field of renown worthy of his military career and services, and the affectionate regret of his country will follow him to a soldier's grave.

In his attack on the enemy's left, Major-General Sir Harry Smith displayed the same valour and judgment which gave him the victory of Aliwal. A more arduous task has seldom, if ever, been assigned to a division. Never has an attempt been more gloriously carried through.

I want words to express my gratitude to Major-General Gilbert. Not only have I to record that in this great fight all was achieved by him, which, as Commander-in-chief, I could desire to have executed; not only on this day was his division enabled, by his skill and courageous example, to triumph over obstacles from which a less ardent spirit would have recoiled as insurmountable; but, since the hour in which our leading columns moved out of Umballa, I have found in the Major-General an officer who has not merely carried out all my orders to the letter, but whose zeal and tact have enabled him in a hundred instances to perform valuable services in exact anticipation of my wishes. I beg explicitly to recommend him to your Excellency's especial notice as a divisional commander of the highest merit.

Major-General Sir Joseph Thackwell has established a claim on this day to the rare commendation of having achieved much with a cavalry force, where the duty to be done consisted entirely of an attack on field works usually supposed to be the particular province of infantry and artillery. His vigilance and activity throughout our operations, and the superior manner in which our out-post duties have been carried on under his superintendence, demand my warmest acknowledgments.

Brigadier Stacy, C.B., I must commend to your special protection and favour. On him devolved the arduous duty of leading the first column to the attack, turning the enemy's right, encountering his fire, before his numbers had been thinned, or his spirit broken, and, to use a phrase which a soldier like your Excellency will comprehend, taking off the rough edge of the Sikhs in the fight. How ably, how gallantly, how successfully this was done, I have before endeavoured to relate. I feel certain that Brigadier Stacy and his noble troops will hold their due place in your Excellency's estimation, and that his merits will meet with fit reward.

Brigadier Orchard, C.B., in consequence of the only regiment under his command that was engaged in the action, being with Brigadier Stacy's Brigade, attached himself to it, and shared all its dangers, glories, and success.

I beg as warmly and sincerely to praise the manner in which Briga-

dier Wilkinson supported Brigadier Stacy, and followed his lead into the enemy's works.

Brigadier the Honourable T. Ashburnham manœuvred with great coolness and success as a reserve to the two last mentioned brigades.

Brigadier Taylor, Her Majesty's 29th, fell nobly, as has already been told, in the discharge of his duty. He is himself beyond the reach of earthly praise; but it is my earnest desire that his memory may be honored in his fall, and that his regiment, the army with which he served, and his country, may know that no officer held a higher place, in my poor estimation, for gallantry or skill, than Brigadier C. C. Taylor.

Brigadier Maclaren, C.B., in whom I have ever confided, as one of the ablest of the senior officers of this force, sustained on this day, as I have before intimated, his already enviable reputation. I trust he may not long be kept, by his wound, out of the sphere of active exertion which is his natural element.

Brigadiers Penny and Hicks commanded the two brigades of Major-General Sir Harry Smith's division, and overcame, at their head, the most formidable opposition. I beg to bring both in the most earnest manner to your notice, trusting that Brigadier Penny's active services will soon become once more available.

The manœuvres of Brigadier Cureton's Cavalry, in attracting and fixing the attention of Rajah Lal Sing Misr's Horse, fulfilled every expectation which I had formed, and were worthy of the skill of the officer employed, whose prominent exploits at the battle of Ahwal I have recently had the honor to bring to your notice.

Brigadier Scott, C.B., in command of the 1st Brigade of Cavalry, had the rare fortune of meeting and overcoming a powerful body of infantry, in the rear of a line of formidable field works. I have to congratulate him on the success of the noble troops under him, and to thank him for his own meritorious exertions. I am quite certain that your Excellency will bear them in mind.

Brigadier Campbell's Brigade was less actively employed, but all that was required of it was most creditably performed. The demonstration on the enemy's left by the 9th Lancers towards the conclusion of the battle, was made in the best order under a sharp cannonade.

Brigadier Gowan, C.B., deserves my best thanks for his able arrangements, the value of which was so fully evinced in the first hour and half of this conflict, when it was almost exclusively an artillery fight. Brigadiers Biddulph, Brooke, and Denniss supported him in the ablest way throughout the day, and have given me the most effectual assistance under every circumstance of the campaign.

The effective practice of our rockets, under Brigadier Brooke, elicited my particular admiration.

Brigadier Smith, C.B., had made all the dispositions in the engineer department, which were in the highest degree judicious, and in every respect excellent. On the evening of the 9th instant, Brigadier Irvine, whose name is associated with one of the most brilliant events in our military history—the capture of Bhurtpore—arrived in camp. The command would, of course, have devolved on him; but, with that generosity of spirit which ever accompanies true valour and ability, he declined to assume it, in order that all the credit of the work which he had begun might attach to Brigadier Smith. For himself, Brigadier Irvine sought only the opportunity of sharing our perils in the field, and he personally accompanied me throughout the day. Brigadier Smith has earned a title to the highest praise which I can bestow.

To the general staff I am in every way indebted. Nothing could surpass the activity and intelligence of Lieutenant-Colonel Garden and Major Grant, who are the heads of it, in the discharge of the duties of their departments, ever very laborious, and, during this campaign, almost overwhelming. Both yet suffer under the effects of wounds previously received. Lieutenant-Colonel Drummond, C.B., Deputy Quartermaster-General, and Lieutenant Arthur Becher, Deputy Assistant Quartermaster-General, ably supported the former; and the exertions of Captains Anson and Tucker, Assistant Adjutants-General, have been most satisfactory to the latter and to myself.

Lieutenant-Colonel Parsons, Deputy Commissary-General, has evinced the most successful perseverance in his important endeavours to supply the army. He has been ably aided at head-quarters by Major W. J. Thompson, C.B., and Major Curtis, Sub-Assistant Commissary-General; all three of these officers were most active in conveying my orders in the battle of Sobraon, in the face of every danger. I have, in the most explicit way, to record the same intelligence and ability, and the same activity and bravery, in the case of Lieutenant-Colonel Birch, Judge Advocate-General, both as respects departmental duties and active attendance on me in the field. I have already spoken of the loss which I have sustained by Lieutenant-Colonels Gough and Barr being wounded. The exertions of both in animating our troops in moments of emergency were laudable beyond my power to praise. Lieutenant Sandys, 55th Regiment Native Infantry, Postmaster of the Force, assisted in conveying my orders.

Superintending Surgeon B. Macleod, M.D., has been indefatigable in the fulfilment of every requirement of his important and responsible situation. I am entirely satisfied with his exertions and their results. I must bring to notice also the merits of Field-Surgeon J. Steel, M.D., and Surgeon Graham, M.D., in charge of the dépôt of sick.

I was accompanied during the action by the following officers of my personal staff:—Captain the Honourable C. R. Sackville West, Her Majesty's 21st Foot, Officiating Military Secretary, Captain Haines, for whom he acts, still being disabled by his severe wound); Lieutenant-Colonel H. Havelock, C.B., Her Majesty's 39th Foot, Persian Interpreter; Lieutenant Bagot, 15th Native Infantry; Lieutenant Edwardes, 1st European Light Infantry; and Cornet Lord James Browne, 9th Lancers, my Aides-de-camp; and Assistant-Surgeon J. E. Stephens, M.D., my medical officer. All these officers assisted in conveying my orders to various points, in the thickest of the fight and the hottest of the fire, and to all of them I feel greatly indebted.

I have to acknowledge the services in the command of regiments, troops, and batteries, or on select and particular duties in the engineer department, of the following officers, and to recommend them to your Excellency's special favour:—viz., Major F. Abbott, who laid the bridge by which the army crossed into the Punjab, and who was present at Sobraon, and did excellent service; Captain Baker and Lieutenant John Becher, engineers, who conducted Brigadier Stacy's column (the last of these was wounded); Lieutenant-Colonel Wood, artillery, commanding the mortar battery; Major Lawrenson, commanding the 18-pounder battery; Lieutenant-Colonel Huthwaite, commanding the 8-inch howitzer battery; and Lieutenant-Colonel Geddes, commanding the rockets; Captain R. Waller, Horse Artillery; Captain G. H. Swinley, Captain E. F. Day, Captain J. Turton, Brevet Major C. Grant, Brevet Lieutenant-Colonel J. Alexander, Brevet Major F. Brind, Brevet Lieutenant-Colonel J. T. Lane, Brevet Major G. Campbell, Captain J. Fordyce, Captain R. Horsford, and Lieutenant G. Holland, commanding troops and batteries; Major B. Y. Reilly, commanding Sappers and Miners; Lieutenant-Colonel White, C.B., commanding 3rd Light Dragoons; Captain Nash, 4th Light Cavalry; Major Alexander, 5th Light Cavalry; Captain Christie, 9th Irregular Cavalry; Lieutenant-Colonel Fullerton, 9th Lancers; Captain Leeson, 2nd Irregular Cavalry, Brevet Captain Becher, 8th Irregular Cavalry; Captain Pearson, 16th Lancers; Brevet Captain Quin, Governor-General's Body Guard; Brevet Major Angelo, 3rd Light Cavalry; Lieutenant-Colonel Spence, 31st Foot; Captain Corfield, 47th Native Infantry; Brevet Lieutenant-Colonel Ryan, and Brevet Lieutenant-Colonel Petit, and Captain Long, 50th Foot; Major Polwhele, 42nd Regiment Native Infantry; Captain O'Brien and Lieutenant Travers, Nusseeree Battalion; Captain Stepney, 29th Foot; Major Sibbald, 41st Regiment Native Infantry; Major Birrell and Brevet Captain Seaton, 1st European Light Infantry; Brevet Major Graves, 16th Grenadiers; Lieutenant Reid, Sirmoor Battalion; Lieutenant-Colonel Davis, 9th Foot; Major Handscomb, 26th Regiment Native Infantry; Lieutenant-Colonel Bunbury, 80th Foot; Captain Hoggan, 63rd Regiment Native

Infantry; Captain Sandeman, 33rd Regiment Native Infantry; Lieutenant-Colonel Franks, 10th Foot; Brevet Lieutenant-Colonel Nash, 43rd Regiment Native Infantry; Lieutenant-Colonel Thompson, 59th Regiment Native Infantry; Lieutenant-Colonel Phillips, 53rd Foot, Major Shortt, 62nd Foot; Brevet Major Marshall, 68th Regiment Native Infantry; and Captain Short, 45th Regiment Native Infantry.

The following staff and engineer officers I have also to bring to your special notice, and to pray that their services may be favourably remembered, and the survivors duly rewarded—viz., Captain E. Christie, Deputy Assistant Adjutant-General, and Lieutenant Maxwell, Deputy Assistant Quartermaster General of Artillery; and Captain Pillans, and Brevet Captain W. K. Warner, Commissaries of Ordnance, Brevet Captain M. Mackenzie, and Brevet Captain E. G. Austen, and First Lieutenant E. Kaye, Artillery, Majors of Brigade; Captain R. Napier, Major of Brigade of Engineers; Captain Tritton, 3rd Light Dragoons, Deputy Assistant Adjutant-General; Lieutenant E. Roche, 3rd Dragoons, Aide-de-camp to Major-General Sir J. Thackwell, and Officiating Deputy Assistant Quartermaster-General of Cavalry, in the place of Captain Havelock, 9th Foot, who was present in the field, but unable, from the effects of a wound, to discharge the duties of his office; Captain E. Lugard, 31st Foot, Deputy Assistant Adjutant-General, Lieutenant A. S. Galloway, 3rd Light Cavalry, Deputy Assistant Quartermaster-General, Lieutenant E. A. Holdich, 80th Foot, Aide-de-camp to Major-General Sir Harry Smith; Lieutenant F. M'D. Gilbert, 2nd Grenadiers, acting Aide-de-camp to Major-General Gilbert; Captain R. Houghton, 63rd Regiment Native Infantry, officiating Assistant Adjutant-General; Lieutenant Rawson, Deputy Assistant Quartermaster-General, killed, Lieutenant R. Bates, 82nd Foot, Aide-de-camp to the late Major-General Sir R. Dick; Captain J. R. Pond, 1st European Light Infantry, Deputy Assistant Adjutant-General; Lieutenant J. S. Paton, 14th Regiment Native Infantry, Officiating Deputy Assistant Quartermaster-General, Brevet Captain Harrington, 5th Light Cavalry; Captain A. Spottiswood, 9th Lancers; Lieutenant R. Pattinson, 16th Lancers; Captain J. Garvock, 31st Foot; Lieutenant G. H. M. Jones, 29th Foot; Captain J. L. Taylor, 26th Light Infantry; Lieutenant H. F. Dunsford, 59th Regiment Native Infantry, Majors of Brigade; Captain Combe, 1st European Light Infantry, Major of Brigade, 2nd Brigade; Captain Gordon, 11th Native Infantry, Major of Brigade, 6th Brigade; Captain A. G. Ward, 68th Native Infantry, Major of Brigade, and Lieutenant P. Hay, Major of Brigade (killed)

Having ventured to speak of your Excellency's own part in this action, it would be most gratifying to me to go on to mention the brilliant share taken in it by Lieutenant-Colonel Wood, and the officers of your personal Staff, as well as by the civil, political, and other military officers attached to you. But as these were all under your own eye, I cannot doubt that you will yourself do justice to their exertions.

We were in this battle again honoured with the presence of Prince Waldemar of Prussia, and the two noblemen in his suite, Counts Oriola and Greuben. Here, as at Moodkee and Ferozeshah, these distinguished visitors did not content themselves with a distant view of the action, but, throughout it, were to be seen in front wherever danger most urgently pressed.

The loss of the enemy has been immense; an estimate of it must be formed with a due allowance for the spirit of exaggeration which pervades all statements of Asiatics, where their interest leads them to magnify numbers; but our own observation on the river banks, and in the enemy's camp, combined with the reports brought to our intelligence department, convince me that the Khalsa casualties were between 8000 and 10,000 men, killed and wounded in action, and drowned in the passage of the river. Amongst the slain are Sirdars Sham Sing, Attareewalla, Generals Goolab Sing Koopta, and Heera Sing Topce, Sirdar Kishen Sing, son of the late Jamadar Kooshal Sing; Generals Mobaruck Ali, and Illahee Buksh, and Shah Newaz Khan, son of Futteh-ood-deen Khan, of Kussoor. The body of Sham Sing was sought for in the captured camp by his followers; and, respecting the gallantry with which he is reported to have devoted

himself to death rather than accompany the army in its flight, I forbade his people being molested in their search, which was finally successful.

The consequences of this great action have yet to be fully developed. It has, at least, in God's providence, once more expelled the Sikhs from our territory, and planted our standards on the soil of the Punjab. After occupying their entrenched position for nearly a month, the Khalsa army had, perhaps, mistaken the caution which had induced us to wait for the necessary material, for timidity. But they must now deeply feel that the blow which has fallen on them from the British arm has only been the heavier for being long delayed.

I have, &c.,
H. GOUGH,
General, Commander-in-chief, East Indies.

Return of Killed, Wounded, and Missing of the Army of the Sutlej, under the Command of his Excellency General Sir Hugh Gough, Bart, G.C.B., Commander-in-chief, in the Action of Sobraon, on 10th February, 1846.

General Staff—2 European Officers wounded.

Artillery Division.

1st brigade Horse Artillery (Head-quarters, 2nd, 3rd, 5th troops)—1 rank and file, 1 syce driver, killed; 1 rank and file wounded.

2nd brigade Horse Artillery (Head-quarters, 1st, 2nd, 3rd troops)—1 European officer, 2 rank and file, 14 horses, killed; 1 European officer, 15 rank and file, 2 syces, 20 horses, wounded.

3rd brigade Horse Artillery (Head-quarters, 1st, 2nd, 3rd troops)—5 rank and file wounded.

2nd battalion Artillery (2nd company)—1 lascar wounded.

3rd battalion Artillery (3rd and 4th companies)—3 rank and file, 2 lascars, wounded.

4th battalion Artillery (1st 2nd, 3rd and 4th companies)—2 syces, 3 horses, killed; 5 rank and file, 2 lascars, 3 syces, 2 horses, wounded; 5 horses missing.

6th battalion Artillery (1st, 2nd, 3rd, and 4th companies)—1 serjeant, 4 rank and file, 1 horse, wounded.

Total—1 European officer, 3 rank and file, 3 syces, 17 horses, killed; 1 European officer, 1 serjeant, 33 rank and file, 5 lascars, 5 syces, 23 horses, wounded; 5 horses missing.

Engineer Department and Sappers.

2 rank and file killed; 3 European officers, 1 Native officer, 16 rank and file, wounded.

Cavalry Division.

Divisional and Brigade Staff—2 horses wounded.

1st Brigade.

Her Majesty's 3rd Light Dragoons—5 rank and file, 1 horse, killed; 4 European officers, 22 rank and file, 13 horses, wounded; 20 horses missing.

4th Regiment Light Cavalry—4 horses killed; 1 trumpeter, 4 rank and file, 7 horses, wounded.

5th Regiment Light Cavalry—2 horses killed; 10 rank and file, 20 horses, wounded; 2 horses missing.

9th Regiment Irregular Cavalry—1 horse killed; 3 horses wounded.

2nd Brigade.

Her Majesty's 9th Lancers—1 rank and file, 5 horses, killed; 1 trumpeter, 5 horses, wounded; 2 horses missing.

2nd Irregular Cavalry, Head-quarters and Right Wing—2 horses wounded.

3rd Brigade.

Governor-General's Body Guard—1 horse wounded.

Total—6 rank and file, 13 horses, killed; 4 European officers, 2 trumpeters, 36 rank and file, 53 horses, wounded; 24 horses missing.

1st Infantry Division.

Divisional and Brigade Staff—1 European officer killed, 3 wounded

1st Brigade.

Her Majesty's 31st Foot—35 rank and file killed; 7 European officers, 112 rank and file, wounded.

47th Regiment Native Infantry—1 Native officer, 7 rank and file, killed; 4 European officers, 4 Native officers, 64 rank and file, wounded.

2nd Brigade.

Her Majesty's 50th Foot—1 European officer, 41 rank and file, killed, 11 European officers, 186 rank and file, wounded

42nd Light Infantry—8 rank and file killed; 2 European officers, 3 Native officers, 53 rank and file, wounded.

Nusseeree Battalion—6 rank and file killed; 1 European officer, 6 Native officers, 74 rank and file, wounded.

Total—2 European officers, 1 Native officer, 97 rank and file, killed; 28 European officers, 13 Native officers, 489 rank and file, wounded

2nd Infantry Division.

Divisional and Brigade Staff—2 European officers killed; 4 wounded.

3rd Brigade.

Her Majesty's 29th Foot—1 serjeant, 35 rank and file, 1 horse, killed, 12 European officers, 7 serjeants, 132 rank and file, wounded.

41st Regiment Native Infantry—2 havildars, 14 rank and file, killed; 8 European officers, 3 Native officers, 5 havildars, 1 drummer, 99 rank and file wounded.

63rd Regiment of Native Infantry—1 Native officer, 10 rank and file, killed; 2 European officers, 1 Native officer, 2 havildars, 67 rank and file, wounded.

4th Brigade.

1st European Light Infantry—2 European officers, 2 serjeants, 31 rank and file, killed, 10 European officers, 10 serjeants, 142 rank and file, 1 horse, wounded.

16th Grenadiers—6 rank and file killed; 2 European officers, 4 Native officers, 19 havildars, 1 drummer, 122 rank and file, wounded.

Sirmoor Battalion—1 European officer, 13 rank and file, killed; 4 Native officers, 3 havildars, 123 rank and file, wounded.

Total—5 European officers, 1 Native officer, 5 serjeants and havildars, 109 rank and file, 1 horse, killed; 38 European officers, 12 Native officers, 46 serjeants and havildars, 2 drummers, 685 rank and file, 1 horse, wounded.

3rd Infantry Division.

Divisional, and Brigade Staff—1 European officer, 2 horses, killed; 1 horse wounded.

5th Brigade.

Her Majesty's 9th Foot—5 rank and file killed; 1 European officer, 2 serjeants, 1 drummer, 25 rank and file, wounded.

26th Regiment Native Infantry—3 rank and file killed; 2 European officers, 3 Native officers, 19 rank and file, wounded.

Her Majesty's 62nd Foot—1 European officer, 3 rank and file, killed; 1 European officer, 3 serjeants, 40 rank and file, wounded.

6th Brigade.

Her Majesty's 80th Foot—1 drummer, 12 rank and file, killed; 4 European officers, 3 serjeants, 71 rank and file, wounded.

33rd Regiment Native Infantry—1 European officer, 1 Native officer, 1 havildar, 3 rank and file, killed; 1 European officer, 4 Native officers, 1 havildar, 1 drummer, 53 rank and file, wounded.

63rd Regiment Native Infantry—1 havildar, 2 rank and file, 1 horse, killed; 3 European officers, 1 Native officer, 4 havildars, 1 drummer, 25 rank and file, 1 horse, wounded.

7th Brigade.

Her Majesty's 10th Foot—1 European officer, 1 serjeant, 29 rank and file, 1 horse, killed; 2 European officers, 2 serjeants, 98 rank and file, 1 horse, wounded.

43rd Regiment Native Infantry—7 rank and file, 1 horse, killed; 2 European officers, 4 Native officers, 5 havildars, 85 rank and file, 1 horse, wounded.

59th Regiment Native Infantry—4 rank and file killed; 1 European officer, 1 Native officer, 6 havildars, 53 rank and file, 2 horses, wounded.

Her Majesty's 53rd Foot—1 European officer, 7 rank and file, killed; 8 European officers, 1 serjeant, 104 rank and file, wounded.

Total—5 European officers, 1 Native officer, 3 serjeants and havildars, 1 drummer, 75 rank and file, 5 horses, killed; 25 European officers, 13 Native officers, 27 serjeants and havildars, 3 drummers, 573 rank and file, 7 horses, wounded.

Abstract.

Staff—2 European officers wounded.

Artillery Division—1 European officer, 3 rank and file, 3 syce drivers, 17 horses killed; 1 European officer, 1 serjeant, 33 rank and file, 5 lascars, 5 syces, 23 horses, wounded; 5 horses missing.

Engineers and Sappers and Miners—2 rank and file killed; 3 European officers, 1 Native ditto, 16 rank and file, wounded.

Cavalry Division—6 rank and file, 13 horses, killed; 4 European officers, 2 trumpeters, 36 rank and file, 53 horses, wounded; 24 horses missing.

1st Infantry Division—2 European officers, 1 Native officer, 97 rank and file, killed; 28 European officers, 13 Native officers, 489 rank and file, wounded.

2nd ditto ditto—5 European officers, 1 Native officer, 5 serjeants, 109 rank and file, 1 horse, killed; 38 European officers, 12 Native officers, 46 serjeants, 2 drummers, 685 rank and file, 1 horse, wounded.

3rd ditto ditto—5 European officers, 1 Native officer, 3 serjeants, 1 drummer, 75 rank and file, 5 horses, killed; 25 European officers, 13 Native officers, 27 serjeants, 3 drummers, 573 rank and file, 6 horses, wounded.

Total—European officers, 3 Native officers, 8 serjeants, 1 drummer, 292 rank and file, 3 syces, and 36 horses, killed; 101

European officers, 39 Native officers, 74 serjeants and havildars, 7 trumpeters and drummers, 832 rank and file, 5 lascars, 5 syces, 83 horses, wounded; 29 horses missing.
 European officers—13 killed, 101 wounded.
 Native officers—3 killed, 39 wounded.
 Warrant and non-commissioned officers, rank and file—301 killed, 1913 wounded
 Lascars, syce drivers, syces, &c.—3 killed, 10 wounded.
 Total—320 killed, 2063 wounded.
 Grand total of killed, wounded, and missing, 2383.

Names of Officers Killed and Wounded.

Killed.

Artillery Division.

1st Troop 2nd Brigade Horse Artillery—First Lieutenant H. J. Y. Faithfull.

1st Infantry Division.

Brigade Staff—Lieutenant R. Hay, Major of Brigade.
 Her Majesty's 50th Foot—Lieutenant C. R. Grimes.

2nd Infantry Division.

Divisional Staff—Lieutenant J. S. Rawson, Officiating Deputy Assistant Quartermaster-General.
 Brigade Staff—Lieutenant-Colonel C. C. Taylor, C.B., Brigadier.
 1st European Light Infantry—Lieutenant F. Shuttleworth and Ensign F. W. A. Hamilton.
 Sirmoor Battalion—Captain J. Fisher.

3rd Infantry Division.

Divisional Staff—Major-General Sir R. H. Dick, K.C.B. and K.C.H.
 Her Majesty's 62nd Foot—Lieutenant W. T. Bartley.
 33rd Regiment Native Infantry—Lieutenant W. D. Playfair.
 Her Majesty's 10th Foot—Lieutenant W. Y. Beale.
 Her Majesty's 53rd Foot—Captain C. E. D. Warren.

Wounded.

General Staff—Lieutenant-Colonel J. B. Gough, C.B., Officiating Quartermaster-General to Her Majesty's Forces, very severely; and Lieutenant-Colonel M. Barr, Officiating Adjutant-General to Her Majesty's Forces, severely and dangerously.

Artillery Division.

2nd Troop 2nd Brigade Horse Artillery—Brevet Major C. Grant, slightly.

Engineer Department.

Brevet Captain W. Abercrombie, contused, First Lieutenant J. R. Becher, severely; Second Lieutenant G. P. Hebbert, slightly.

Cavalry Division.

Her Majesty's 3rd Light Dragoons—Lieutenant J. B. Hawkes, slightly; Lieutenant H. W. White, ditto, Cornet Kauntze, severely; and Quartermaster A. Crabtree, slightly.

1st Infantry Division.

Divisional Staff—Lieutenant E. A. Holdich, A. D. C., severely.

Brigade Staff—Lieutenant-Colonel N. Penny, Brigadier; and Captain J. Garvock, Major of Brigade, severely.

Her Majesty's 31st Foot—Lieutenant R. Law, severely; Lieutenant G. Elmslie, severely; Lieutenant S. J. Timbrell, dangerously, both thighs broken; Lieutenant P. Gabbett, slightly; Lieutenant C. H. G. Tritton, mortally; Ensign Jones, dangerously; and Lieutenant and Adjutant Bolton, severely.

47th Regiment Native Infantry—Lieutenant and Adjutant R. Renny, severely; Lieutenant H. C. James, 32nd Native Infantry, slightly; Ensign W. H. Walcot, slightly; and J. D. Ogston, slightly.

Her Majesty's 50th Foot—Brevet Lieutenant-Colonel Ryan, K. H., dangerously; Brevet Colonel P. J. Petit, dangerously; Captain G. M'L. Tew, dangerously; Captain J. B. Bonham, dangerously; Captain Needham, dangerously; Captain J. L. Wilton, very severely; Lieutenant H. W. Hough, severely; Lieutenant J. G. Smyth, severely; Lieutenant C. A. Mouat, severely; Ensign C. H. Slessor, slightly; and Lieutenant C. H. Tottenham, slightly.

42nd Light Infantry—Major T. Polwhele, slightly; and Lieutenant A. Macqueen, severely.

Nusseere Battalion—Captain C. O'Brien, severely.

2nd Infantry Division.

Divisional Staff—Major-General W. R. Gilbert, slightly; Lieutenant F. M'D. Gilbert, A. D. C., slightly.

Brigade Staff—Lieutenant-Colonel Maclaren, C.B., Brigadier, dangerously; Lieutenant G. H. M. Jones, Major of Brigade, very severely, right arm amputated.

Her Majesty's 29th Foot—Captain A. St. G. H. Stepney, severely; Captain J. D. Young, slightly; Captain K. Murchison, slightly; Lieutenant R. F. Henry, Lieutenant J. O. Duncan, severely; Lieutenant W. Kirby, very severely; Lieutenant C. E. Macdonnell, severely; Lieutenant H. G. Walker, slightly; Lieutenant St. G. M. Nugent, severely; Lieutenant G. St. J. Henderson, contusion; Lieutenant E. T. Scudamore, severely, and Ensign G. Mitchell, very severely, right leg amputated.

41st Regiment Native Infantry—Captain W. H. Halford, severely; Captain J. Cumberlege, severely; Captain J. W. V. Stephen, slightly; Lieutenant A. W. Onslow, slightly; Lieutenant M. F. Kemble, slightly; Ensign C. H. Scatcherd, severely, since dead; Ensign C. R. Aikman, slightly; and Ensign J. P. Bennet, slightly.

68th Regiment Native Infantry—Lieutenant P. A. Robertson, slightly; and Ensign J. A. Dorin, slightly.

1st European Light Infantry—Brevet Captain E. Magnay, severely; Lieutenant J. Pattullo, severely; Lieutenant J. Lambert, severely; Lieutenant G. G. Denniss, severely; Lieutenant A. Hume, dangerously; Lieutenant T. Staples, slightly; Ensign C. O. B. Palmer, slightly; Ensign G. H. Davidson, dangerously, since dead; Ensign P. R. Innes, slightly; and Lieutenant D. C. T. Beatson (14th Native Infantry), severely.

16th Regiment Native Infantry Grenadiers—Captain A. Balderston, severely; and Ensign W. S. R. Hodson, slightly.

Sirmoor Battalion—Captain J. Fisher (23rd Native Infantry), killed.

3rd Infantry Division.

Her Majesty's 9th Foot—Lieutenant R. Daunt, slightly

26th Regiment Native Infantry—Lieutenant F. Mackenzie, severely; and Ensign M. J. White, slightly.

Her Majesty's 62nd Foot—Lieutenant R. H. Haviland, severely.

Her Majesty's 80th Foot—Captain W. Cookson, slightly; Lieutenant R. Crawley, severely; Lieutenant E. W. P. Kingsley, severely; and Ensign W. B. C. S. Wandesforde, severely.

33rd Regiment Native Infantry—Lieutenant T. Tulloh, severely.
 63rd Regiment Native Infantry—Captain W. C. Ormsby, severely;
 Lieutenant H. A. Morrieson, slightly; Ensign R. T. H. Barber, slightly.
 Her Majesty's 10th Foot—Lieutenant H. R. Evans, slightly; and
 Lieutenant C. J. Lindham, severely.
 43rd Regiment Light Infantry—Captain H. Lyell, very severely;
 Ensign L. Munro, severely.
 59th Regiment Native Infantry—Lieutenant H. B. Lumsden, severely.
 Her Majesty's 53rd Foot—Captain T. Smart, severely; Lieutenant J.
 Chester, severely; Lieutenant A. B. O Stokes, severely; Ensign W. Dun-
 ning, severely; Lieutenant-Colonel W. G. Gold, slightly; Lieutenant J.
 Breton, slightly; Lieutenant R. N. Clarke, severely; and Ensign H. Lucas,
 slightly.

PAT. GRANT,

Deputy Adjutant-General of the Army.

*Adjutant General's Office, Head-Quarters,
 Camp, Kussoor, February 13, 1846.*

Inclosure 3 in No. 15.

Proclamation by the Governor-General of India.

Kussoor, February 14, 1846.

THE Sikh army has been expelled from the left bank of the River Sutlej, having been defeated in every action, with the loss of more than 220 pieces of field artillery.

The British army has crossed the Sutlej, and entered the Punjab.

The Governor-General announces, by this proclamation, that this measure has been adopted by the Government of India, in accordance with the intentions expressed in the proclamation of the 13th December last, as having been forced upon the Governor-General, for the purpose of "effectually protecting the British provinces, for vindicating the authority of the British Government, and for punishing the violators of treaties and the disturbers of the public peace."

These operations will be steadily persevered in, and vigorously prosecuted, until the objects proposed to be accomplished are fully attained. The occupation of the Punjab by the British forces will not be relinquished until ample atonement for the insult offered to the British Government, by the infraction of the Treaty of 1809, A D, and by the unprovoked invasion of the British provinces, shall have been exacted. These objects will include full indemnity for all expenses incurred during the war, and such arrangements for the future government of the Lahore territories as will give perfect security to the British Government against similar acts of perfidy and aggression.

Military operations against the Government and Army of the Lahore State have not been undertaken by the Government of India from any desire of territorial aggrandisement. The Governor-General, as already announced in the proclamation of the 13th December, "sincerely desired to see a strong Sikh Government re-established in the Punjab, able to control its army and to protect its subjects." The sincerity of these professions is proved by the fact that no preparations for hostilities had been made when the Lahore Government suddenly, and without a pretext of complaint, invaded the British territories. This unprovoked aggression has compelled the British Government to have recourse to arms, and to organize the means of offensive warfare; and, whatever may now befall the Lahore State, the consequences can alone be attributed to the misconduct of that Government and its army.

No extension of territory was desired by the Government of India. The measures necessary for providing indemnity for the past, and security for the future; will, however, involve the retention by the British Government of a portion of the country hitherto under the government of the Lahore State. The extent of territory which it may be deemed advisable

to hold, will be determined by the conduct of the Dürbar, and by considerations for the security of the British frontier. The Government of India will, under any circumstances, annex to the British Provinces the districts; hill and plain, situated between the Rivers Sutlej and Beas, the revenues thereof being appropriated as a part of the indemnity required from the Lahore State.

The Government of India has frequently declared that it did not desire to subvert the Sikh Government in the Punjab; and, although the conduct of the Durbar has been such as to justify the most severe and extreme measures of retribution (the infliction of which may yet be required by sound policy, if the recent acts of violence be not amply atoned for, and immediate submission tendered), nevertheless, the Governor-General is still willing that an opportunity should be given to the Durbar and to the Chiefs to submit themselves to the authority of the British Government, and, by a return to good faith, and the observance of prudent counsels, enable the Governor-General to organize a Sikh Government in the person of a descendant of its founder, the late Maharajah Runjeet Sing, the faithful ally of the British Power.

The Governor-General, at this moment of a most complete and decisive victory, cannot give a stronger proof of the forbearance and moderation of the British Government, than by making this declaration of his intention,—the terms and mode of the arrangement remaining for further adjustment.

The Governor-General, therefore, calls upon all those chiefs who are the well-wishers of the descendants of Runjeet Sing, and especially such chiefs as have not participated in the hostile proceedings against the British Power, to act in concert with him for carrying into effect such arrangements as shall maintain a Sikh Government at Lahore, capable of controlling its army and protecting its subjects, and based upon principles that shall provide for the future tranquillity of the Sikh State, shall secure the British frontier against a repetition of acts of aggression, and shall prove to the whole world the moderation and justice of the paramount power of India.

If this opportunity of rescuing the Sikh nation from military anarchy and misrule, be neglected, and hostile opposition to the British army be renewed, the Government of India will make such other arrangements for the future government of the Punjab, as the interests and security of the British power may render just and expedient.

By order,

F. CURRIE,

Secretary to the Government of India, with the Governor-General.

Inclosure 4 in No. 15.

Proclamation by the Governor-General of India.

Camp, Lulleeanee, February 18, 1846.

THE chiefs, merchants, traders, ryots, and other inhabitants of Lahore and Umritsir are hereby informed, that his Highness Maharajah Dhuleep Singh has this day waited upon the Right Honourable the Governor-General, and expressed the contrition of himself and the Sikh Government for their late proceedings. The Maharajah and Durbar having acquiesced in all the terms imposed by the British Government, the Governor-General has every hope that the relations of friendship will speedily be re-established between the two Governments.

The inhabitants of Lahore and Umritsir have nothing to fear from the British army. The Governor-General and the British troops, if the conditions above adverted to are fulfilled, and no further hostile opposition is offered by the Khalsa army, will use their endeavours for the re-establishment of the Government of the descendants of Maharajah Runjeet Sing, and for the protection of its subjects.

The inhabitants of the cities in the Punjab will, in that case, be perfectly safe, in person and property, from any molestation by the British troops; and they are hereby called upon to dismiss apprehension, and to follow their respective callings with all confidence.

By order of the Right Honorable the Governor-General of India,

F. CURRIE,

Secretary to the Government of India, with the Governor-General

No 16.

The Governor-General of India to the Secret Committee

(Extract.)

Camp, Lahore, March 4, 1846 (No. 7)

MY last dispatch on the subject of the Punjab, was dated Kanha Kutchwa, the 19th ultimo. On the following morning, the 20th, the whole army marched to Lahore, fourteen miles, and encamped on the parade-ground, about two and a half miles from the city gates.

In the afternoon of the 20th, the young Maharajah Dhuleep Sing was restored to the palace of the rulers of Lahore, in charge of the Chief Secretary of the Government, F. Currie, Esq., escorted by the British officers and troops, in the manner described in the papers inclosed.

I considered it right, in this public manner, the submission of the Lahore Government to the British Power, and to show that the restoration of the young Maharajah to his capital, was the spontaneous act of the British Government.

On the 21st, the Chief Engineer and other officers inspected the citadel and the gates of the town to select positions for the British troops, by whom I had determined that Lahore should be occupied till further orders.

Early on the morning of the 22nd, a brigade of British troops took formal possession of the citadel of Lahore, the Badshahce Musjid, and the Huzzoorce Bagh.

On receiving the report of his Excellency the Commander-in-chief, I issued the General Order bearing date the 22nd ultimo. I considered the occupation of Lahore, and the close of active operations in the field, a proper opportunity for marking, by substantial reward, the gratitude of the British Government to its faithful and brave army, which had fought so gloriously and so successfully; and I was glad at being able thus to bring into prominent contrast the just reward of discipline and obedience with the certain penalty of insubordination and violence, as exemplified in the fate of the two armies which had been so long the objects of mutual observation, the one victorious in the field, and honoured and bountifully rewarded by its Government; the other, in spite of its exceeding numbers and advantageous positions, vanquished in every battle, abandoned by a Government it had coerced, and, with its shattered remains, left, but for the intercession of its conquerors, to disperse with no provision of any kind, and seek a precarious subsistence by rapine and crime.

The twelve months' batta I have thought it right to bestow upon the troops, will amount to a large sum; but it will be far more than covered by the payments demanded from the Lahore Government, and the territorial acquisitions obtained, and the political results of the campaign.

On the 17th ultimo, the force under Brigadier Wheeler crossed the Sutlej, a few miles below Loodiana, and occupied the strong fort of Philoor, which was abandoned on the approach of the troops. Having left a garrison at Philoor, Brigadier Wheeler advanced to the banks of the Beas; and the presence of his disciplined force has given confidence of protection to the inhabitants of the Dooab, who are stated to be well satisfied with their change of rulers, and has enabled us to prepare a bridge on the Beas for the passage of that part of the army which will be stationed in the Jhullunder Dooab, and will accompany the Commander-in-chief and myself on our march from Lahore.

Since our arrival at Lahore, the preliminaries for a return to amicable

relations, and for the settlement of the future Government of the Lahore State, as far as I consider it expedient that we should interfere, have been in progress. The draft of a treaty was to-day placed in the hands of the Sirdars, who have been nominated by the Regent to transact the business of the Government, and this treaty will in all probability be concluded and ratified in the course of two or three days; in all essentials it has been already fully acquiesced in by the written agreement of the chiefs, and no alteration will be permitted in the principles of the conditions it prescribes.

Eight regiments have been paid up, and either discharged or re-enlisted on the prescribed system. Twenty-one of the guns demanded have been given up and sent into camp, and four lacs of rupees have been paid, and thirty more are ascertained to have left Govindgurh, and are expected in camp this afternoon.

It will be seen by the draft of treaty now forwarded, that, in consequence of the inability of the Lahore Government to pay the sum stipulated as indemnification for the expenses of the war, or to give sufficient security for its eventual disbursement, the Hill territories, from the Beas River to the Indus, including the Provinces of Cashmere and Hazarah, have been ceded to the British Government.

It is not my intention to take possession of the whole of this territory. Its occupation by us would be, on many accounts, disadvantageous. It would bring us into collision with many powerful chiefs, for whose coercion a large military establishment at a great distance from our provinces and military resources would be necessary. It would more than double the extent of our present frontier in countries assailable at every point, and most difficult to defend, without any corresponding advantages for such large additions of territory. New, distant, and conflicting interests would be created, and races of people, with whom we have hitherto had no intercourse, would be brought under our rule, while the territories, excepting Cashmere, are comparatively unproductive, and would scarcely pay the expenses of occupation and management.

On the other hand, the tract now ceded, includes the whole of the Hill possessions of Rajah Golab Sing and the Jummoo family; its possession by us enables us at once to mark our sense of Rajah Golab Sing's conduct during the late operations, by rewarding him in the mode most in accordance with his desires, to show forth, as an example to the other chiefs of Asia, the benefits which accrue from an adherence to British interests, and, at the same time, to secure to ourselves that indemnification for the expenses of the campaign, which we declared our determination to exact, and which, excepting by the cession of territory, the Lahore Government is not in a condition to afford.

Rajah Golab Sing has engaged to pay the crore of rupees demanded from the Lahore State, on being put by us in possession of the territory ceded by the 4th Article of the Draft Treaty, on such terms and conditions as we may approve.

It is highly expedient that the trans-Beas portion of Kooloo and Mundi, with the more fertile district and strong position of Noorpore, and the celebrated Fort Kangra—the key of the Himalayas, in native estimation—with its district and dependancies, should be in our possession. These provinces lie together, between the Beas and Chukkee Rivers, and their occupation by us will be attended with little cost and great advantage. The Chukkee River in the hills will hereafter be our boundary to its source, and thence a line drawn to the Ravee River, and along its course, and across the Chenab, to the snowy ridge on the confines of Lahool. This line will be laid down by officers sent for the purpose, according to mutual agreement, and will be accurately surveyed.

In consideration of the retention by us of the tract above described, a remission of twenty-five lacs from the crore of rupees, which Rajah Golab Sing would otherwise have paid, will be allowed, and the Rajah will pay the remaining seventy-five lacs, of which fifty lacs are to be made good at once, upon the ratification of the Treaty, and the remaining twenty-five lacs within six months from that date.

Of the remaining portion of the territory ceded by Article 4 of the

Draft Treaty, the greater part, with exception of the Provinces of Cashmere and Hazarah, is already in the possession of Rajah Golab Sing and his family, for which he has been bound hitherto to render military service, to a small extent, to the Lahore Government, and to present annually a horse, with gold trappings, as a heriot to the State.

The conditions which may be stipulated with Rajah Golab Sing, and the Treaty to which he may be admitted, will be reported in my next letter. Those conditions will be so drawn as to bind us to the least possible interference in his affairs, consistently with the maintenance of our paramount position over the Rajah and his Country.

The arrangements that may be made for the future administration of the Lahore State, when our army is withdrawn, and Rajah Golab Sing is separated from the Durbar, will be also communicated hereafter.

Inclosure 1 in No. 16.

General Order by the Governor-General of India.

Camp, Lahore, February 20, 1846.

THE Right Honorable the Governor-General requests that the Commander-in-chief will cause the following arrangements to be made for escorting his Highness the Maharajah Dhuleep Sing to his palace, in the citadel of Lahore, this afternoon. The escort will consist of two regiments of European cavalry, two regiments of Native cavalry, the (body guard to be one,) one regiment of irregular horse, two troops of horse artillery, one European and one Native.

The Secretary to the Government of India, F. Currie, Esq., will take charge of his Highness and his suite, and will be accompanied by the Political Agent, Major Lawrence; the Governor-General's Private Secretary, Charles Hardinge, Esq.; the Aides-de-camp of the Governor-General; two Aides-de-camp of the Commander-in chief; one Aide-de-camp from each General Officer of a division; in uniform

The escort will be formed at the nearest convenient spot to the Governor-General's camp, at two o'clock, and proceed to his Highness' camp, and thence to his palace.

On alighting from his elephant, a salute of twenty-one guns will be fired by the horse artillery.

His Highness the Maharajah of the Sikh nation, selected by the Chiefs as their Sovereign, having, on the 18th instant, intimated his intention to proceed to the Governor-General's camp at Lulleeanee, attended by his Highness' Wuzeer, the Rajah Golab Sing, and other Chiefs, was received in Durbar, on the afternoon of that day, by the Governor-General, the Commander-in-chief and the staff being present. His Highness' Ministers and Chiefs there tendered his submission, and solicited the clemency of the British Government.

The Governor-General extended the clemency of the British Government to a prince the descendant of the Maharajah the late Runjeet Sing, for so many years the faithful ally and friend of the British Government, as the representative of the Sikh nation, selected by the chiefs and the people to be their ruler, on the condition that all the terms imposed by the British Government, and previously explained to his Highness' Ministers and chiefs, should be faithfully executed.

On withdrawing from the Durbar, the Maharajah received the usual salutes due to his Highness' exalted rank.

His Highness has since remained near the Governor-General's camp, and, as it will be conducive to his Highness' comfort, that he should rejoin his family, the Governor-General desires that he may, with all honor and in safety, be conducted by the British troops to the gates of his palace, this day.

The following proclamation was issued on the 18th instant by the Governor-General, promising protection to all persons at Lahore and

elsewhere, who peaceably continue in their usual employments of trade and industry.

The Governor-General is satisfied, after the experience of this campaign, that he can rely on the discipline of this invincible army, as fully and securely as he has always been confident that the day of battle under their distinguished commander would be one of victory.

He trusts at present, that no officers or soldiers will pass the advanced sentries of their encampment to enter the town of Lahore, and he requests his Excellency the Commander-in-chief to give the necessary instructions to carry this order strictly into effect, as well as to protect all persons bringing provisions into the camp.

By order, &c.,
F. CURRIE,
Secretary to the Government of India, with the Governor-General.

Inclosure 2 in No. 16.

The Secretary to the Government of India to the Governor-General.

Right Honorable Sir,

February 21, 1846.

I HAVE the honor to state, for the information of your Excellency, that, in accordance with the instructions contained in the order of the Governor-General of yesterday's date, I proceeded in the afternoon with the escort ordered, and accompanied by the officers noted in the margin*, on elephants, to conduct the Maharajah Dhuleep Sing to his palace in the citadel of Lahore.

The procession was arranged in the following order:—

9th Irregular Cavalry.
 3rd Light Cavalry.
 Her Majesty's 16th Lancers.
 Troop Horse Artillery, Europeans.
 Troop Horse Artillery, Natives.
 Her Majesty's 9th Lancers.
 The Secretary, with the Maharajah and Suite.
 The Governor-General's Body Guard.

The escort was formed in open column of the troops left in front, commanded by Brigadier Cureton, C.B.

We proceeded in this order to the encampment of the Maharajah, about a mile and a half from our picquets, and nearly the same distance from the citadel gate of the city.

At about three-quarters of a mile from the Maharajah's camp I was met by the Minister Rajah Golab Sing, and some of the chiefs.

Intimation of our approach was then sent on to the Maharajah, that he might be ready on his elephant upon our arrival.

On reaching the Maharajah's camp, the troops of our escort drew up, and the Maharajah, with Bhaee Ram Sing, on the same elephant, came forward from his tent, accompanied by several chiefs.

After the usual salutations and complimentary questions and replies, I placed the Maharajah's elephant next to mine, and, the troops having fallen in as at first, proceeded round the walls of the city to the gate of the citadel.

* Major Lawrence, the Governor-General's Political Agent; W. Edwards, Esq., Under Secretary, Foreign Department, R. Cust, Esq., Assistant Secretary, Foreign Department; C. Hardinge, Esq., Private Secretary to the Governor-General; Lieutenant-Colonel Wood, Military Secretary to the Governor-General; Captain Cunningham, Captain Hardinge, Captain Grant, Lord Arthur Hay, Captain Mills, Aides-de-Camp to the Governor-General, Captain Bagot, Captain Edwardes, Aides-de-Camp to the Commander-in-chief, Captain Gilbert, Aide-de-Camp to General Gilbert, Captain Tottenham, Aide-de-Camp to General Smith; Lieutenant-Colonel Irvine, Lieutenant-Colonel Smith, Captain Napier, Captain Smith, Engineers.

On arriving, Brigadier Cureton drew up the escort in line in front of the gateway, and I took the Maharajah, accompanied by the officers enumerated in the former part of this letter, with Rajah Golab Sing and the other Chiefs, into the interior of the citadel, and to the inner door of his palace.

I then observed to the Maharajah and Chiefs, that, by order of the Right Honorable the Governor-General, I had thus brought the Maharajah, conducted by the British army, to his palace, which his Highness had left for the purpose of tendering submission to the British Government, and for placing himself, his capital, and his country, at the mercy of the Governor-General, and requesting pardon for the insult that had been offered, and that the Governor-General had thus restored him to his palace, as a mark of the favour which he desired to show to the descendant of the late Maharajah Runjeet Sing

A salute of twenty-one guns was then fired by the horse artillery.

We then took leave of the Maharajah at the gate of his palace, and, returning to the outside of the city, we, continuing our progress round Lahore, returned to our camp.

As our camp is situated opposite the south-end of the city face, and the citadel is immediately within the city walls at the north-west angle, we made the entire circuit of Lahore. I considered this preferable to going through the city, the streets of which are very narrow, and would have much impeded the progress of our large escort.

We did not see one gun upon any part of the walls; all their embrasures were empty.

I have, &c.,
F. CURRIE,

Secretary to the Government of India, with the Governor-General.

Inclosure 3 in No 16.

The Commander-in-chief to the Governor-General.

*Head-Quarters, Army of the Sutlej, in front of
Lahore, February 22, 1846.*

Right Honorable Sir.

I HAVE now to offer my congratulations on some of the earliest fruits of our victory of the 10th instant. About noon, on the 20th, a day henceforth very memorable in our Indian annals, the army under my command pitched its tents on the plain of Myan Meer, under the walls of the Sikh capital. The entire submission of the Maharajah and his advisers, to the will of the British Government, had been before personally tendered to you, and graciously accepted; and this morning, in fulfilment of one of the conditions which your wisdom had dictated for the real interests of the ruler and people of the Punjab, I had the honor to conduct a brigade of troops to the city, which took formal possession of the Badshahee Musjid and Huzzooree Bagh, forming part of the palace and citadel of Lahore. I trust, by the observance of a strict discipline, to preserve unshaken that confidence which the people of the city, and country around it, evidently repose in the generosity, clemency, and good faith of their conquerors. Supplies of all sorts are willingly brought to our camp, and punctually paid for; and I believe that, by every class of persons in this vicinity, the presence of our troops is felt to be a national benefit; none certainly have had real cause to lament it as a calamity.

I have, &c.,
HUGH GOUGH,

General, Commander-in-chief, East Indies.

Inclosure 4 in No. 16.

General Order by the Right Honorable the Governor-General of India.

Camp, Lahore, February 22, 1846.

THE British army has this day occupied the gateway of the citadel of Lahore, the Badshahee Mosque, and the Huzzoorree Bagh.

The remaining part of the citadel is the residence of his Highness the Maharajah, and also that of the families of the late Maharajah Runjeet Sing, for so many years the faithful ally of the British Government. In consideration of these circumstances, no troops will be posted within the precincts of the palace gate.

The army of the Sutlej has now brought its operations in the field to a close, by the dispersion of the Sikh army, and the military occupation of Lahore, preceded by a series of the most triumphant successes ever recorded in the military history of India. The British Government, trusting to the faith of treaties, and to the long subsisting friendship between the two States, had limited military preparations to the defence of its own frontier. Compelled suddenly to assume the offensive, by the unprovoked invasion of its territories, the British army, under the command of its distinguished leader, has, in sixty days, defeated the Sikh forces in four general actions, has captured 220 pieces of field artillery, and is now at the capital, dictating to the Lahore Durbar the terms of a treaty, the conditions of which will tend to secure the British provinces from the repetition of a similar outrage.

The Governor-General being determined, however, to mark with reprobation the perfidious character of the war, has required, and will exact, that every remaining piece of Sikh artillery, which has been pointed against the British army during this campaign, shall be surrendered.

The Sikh army, whose insubordinate conduct is one of the chief causes of the anarchy and misrule which have brought the Sikh State to the brink of destruction, is about to be disbanded.

The soldiers of the army of the Sutlej have not only proved their superior prowess in battle, but have, on every occasion, with subordination and patience, endured the fatigues and privations inseparable from a state of active operations in the field. The native troops of this army have also proved that a faithful attachment to their colours and to the Company's service, is an honorable feature in the character of the British sepoy.

The Governor-General has repeatedly expressed, on his own part, and on that of the Government of India, admiration and gratitude for the important services which the army has rendered.

The Governor-General is now pleased to resolve, as a testimony of the approbation of the Government of India of the bravery, discipline, and soldier-like bearing of the army of the Sutlej, that all the generals, officers, non-commissioned officers, and privates, shall receive a gratuity of twelve months' batta.

Every regiment which, in obedience to its orders, may have remained in posts and forts between Loodiana and Ferozepore, and was not present in action, as in the case of the troops ordered to remain at Moodkee to protect the wounded, and those left in the forts of Ferozepore and Loodiana, shall receive the gratuity of twelve months' batta.

Obedience to orders is the first duty of a soldier: and the Governor-General, in affirming the principle, can never admit that absence caused by the performance of indispensable duties, on which the success of the operations in the field greatly depended, ought to disqualify any soldier placed in these circumstances from participation in the gratuity given for the general good conduct of the army in the field.

All regiments and individuals ordered to the frontier, and forming part of the army of the Sutlej, which may have reached Loodiana or Busseean, before the date of this order, will be included as entitled to the gratuity.

By order of the Right Honorable the Governor-General of India,
F. CURRIE,

Secretary to the Government of India, with the Governor-General.

No. 17.

The Governor-General to the Secret Committee.

(Extract)

Camp, Sooltanpoor, March 19, 1846 (No. 8)

SINCE I last addressed you, I have received from the Lahore Durbar very earnest solicitations representing the necessity of leaving a British force for the protection of the capital, until the Ministry shall be able to reorganize an army in accordance with the stipulations of the Treaty, the terms of which had been arranged before the application was made.

It is probable that the Sikh chiefs abstained from applying for a British force pending the conclusion of the Treaty, apprehending that such a solicitation would be considered as an admission of their weakness, of which we might be disposed to take advantage, by enlarging our demands.

When the application for British troops was made, it was impossible not to feel the force of the Minister's representations. I therefore acceded to the request, and, in communication with the Commander-in-chief, the force named in the margin* was ordered to remain at Lahore, under the command of Major-General Sir John Littler.

I have issued, for general information, a notification giving a detailed account of the late proceedings relative to the re-establishment of friendly relations with the Lahore State, and the recognition of the independence of Maharajah Golab Sing. The notification contains the minutes of conferences which have passed between the Secretary to Government, Mr. Currie, and the Lahore Durbar, on this subject. The course I have adopted is in strict adherence to the policy I have professed, of attempting to re-establish a Sikh Government, and to restrain the mutinous Sikh army, first by disbanding it, and next by limiting its re-organized numbers, and reducing its rates of pay, a course which appeared to me the most advantageous to both the Governments; and, as the motives which induced me to occupy the capital by a British garrison, might excite suspicion, I took the opportunity, when the Treaty was ratified in my state tent, to express in public Durbar, the reluctance with which I had acceded to the Durbar's request, declaring it to be my desire to withdraw the troops at the earliest possible period, and expressing in the most explicit terms, the sentiments and views of the British Government to the assembled chiefs.

On the following day, when I paid the Maharajah a visit of congratulation in his palace, a written paper was read by order of the Ranee, admitting, in reference to the statements made by me on the preceding day, and in general, to the terms granted by the Treaty, that the Sikh nation had been treated with much forbearance and moderation.

I refer you to the notification published, as containing a connected account of these proceedings.

* One regiment European Infantry, eight regiments Native Infantry, eighteen guns, four siege train guns, two companies Foot Artillery, two Sappers and Miners, one regiment Irregular Cavalry.

Inclosure 1 in No. 17.

Government Notification.

Camp, Umritsir, March 16, 1846.

THE Right Honorable the Governor-General of India has been pleased to direct the publication, for general information, of the subjoined extracts from the proceedings of the Government of India, relative to the re-establishment of amicable relations between the British Government and the State of Lahore, and the recognition of the independence of Maharajah Golab Sing.

Inclosure 2 in No. 17.

Note of Conference between F. Currie, Esq., and Major H. M. Lawrence, on the one part, and the Minister and Chiefs of the Lahore Durbar, on the other, March 8, 1846.

THE Minister and Chiefs having assembled at the tent of the Governor-General's Agent, for the purpose of signing the Treaty, the conditions of which had been previously discussed and determined, produced, on the part of the Maharajah, a letter addressed to Major Lawrence, the Governor-General's Agent, of which the following is a translation :

“The feelings of consideration, kindness, and generosity, which have been evinced towards the Lahore State by the Right Honorable the Governor-General, and his Excellency's respect for the former friendship of the British Government with the late Maharajah Runjeet Sing, have been communicated to me through Mr. Secretary Currie and yourself, and have caused me to feel most grateful.

“Certain important matters will now be represented to you by the following confidential personages : Bhaee Ram Sing, Rajah Lal Sing, Sirdar Tej Sing, Dewan Deena Nath, Fakeer Noor-ood-deen ; and you, who are the guardian of the perpetual friendship of the two Governments, will represent these matters to the Governor-General, and will, doubtless, use your endeavours to procure a favourable decision regarding them.

“The Lahore Government, it is known, is endeavouring to arrange its affairs ; and it is necessary that effectual measures should be taken to prevent the recurrence of any disturbances. With this view, it is very desirable that some British regiments, with artillery and officers, should be directed to remain at Lahore for a few months, for the protection of the State. After affairs have been satisfactorily settled, and the period which may be fixed upon expired, the British troops will then return.”

To the above paper the following reply was made verbally, and was, at the request of the Minister and Chiefs, written down and given to them :

“The letter from the Maharajah to Major Lawrence, expressing gratitude to the Governor-General, has been read in presence of the Minister and Chiefs of the Durbar. At the close of that letter, it is requested that a British force may be left at Lahore for a limited period.

“Upon this, it is to be observed, that, from the wording of the letter, it is not evident that the retention of a British force at Lahore is sincerely and urgently desired by the Lahore Government ; and the nature of the disturbances which are to be provided against, is not specifically described. In so important a matter, general expressions are out of place. The British Government desires to exercise no interference with the Government of Lahore after the Treaty of Peace is concluded ; and the Governor-General is not willing to have any concern with the Lahore Government, or to accede to any measure not provided for by the Treaty. This has been repeatedly explained to the Lahore Durbar. If, therefore, for any special reason, and on any particular account, the assistance and intervention of the British Government are desired by the Lahore Durbar, the

fact should have been more distinctly stated in the khurreeta, and the causes which render such aid indispensable should have been given in detail. However, as the Maharajah has authorized the chiefs named in the khurreeta, and who are now present, to make known all the particulars of the case, they should now state all the circumstances in full."

The Minister and Chiefs, after consultation, read aloud the substance of the paper, of which the following is a translation, but requested that it might be put in the form of a khurreeta from the Maharajah, and sent in the evening. A communication was then made to the Governor-General, who determined that a British force should, under certain conditions, to be entered in a separate engagement, occupy Lahore for a limited time. The Treaty was then signed by the Commissioners, and the meeting broke up.

Inclosure 3 in No 17.

Translation of the Document alluded to in the preceding Paragraph, afterwards sent from the Durbar as a formal Khurreeta, with the Seal of the Maharajah

ALL the circumstances regarding the disorganization of the Government of Lahore, since the demise of the late Maharajah Runjeet Sing, until the present time, are well known to the British Government.

The satisfactory settlement of affairs, the discharge of the disturbers of public peace, and the reorganization of the army under the stipulations of the new Treaty, are now engaging consideration. But lest, after the departure of the British forces, the evil-disposed should create fresh disturbances, and endeavour to ruin the State, it is the earnest and sincere desire and hope of the Lahore Durbar, that British troops, with intelligent officers, should, for some months as circumstances may seem to require, be left at Lahore, for the protection of the Government and the Maharajah, and the Inhabitants of the City. When affairs have been satisfactorily settled, and the period prescribed for the stay of the British force shall have expired, the troops may then be withdrawn.

Inclosure 4 in No. 17.

General Order by the Governor-General of India.

Camp, Lahore, March 8. 1846.

THE Treaty of Peace between the British Government and that of his Highness the Maharajah Dhuleep Sing, has been signed.

The Treaty will be ratified by the Governor-General, in presence of the Maharajah and the Sikh Chiefs, to-morrow afternoon, the 9th instant, at four o'clock, in the Governor-General's tent.

The Governor-General invites his Excellency the Commander-in-chief, his Excellency the Governor of Sind, with their personal staff, to attend on this occasion, also the generals of divisions, the brigadiers, the head of each department, and all officers commanding corps, with one native officer from every regiment.

His Highness the Maharajah Dhuleep Sing will be received by a salute of twenty-one guns. The street leading to the Governor-General's tent will be lined by detachments of regiments, according to the orders which his Excellency the Commander-in-chief will be pleased to issue.

The following day, the Governor-General will pay his Highness the Maharajah a visit of congratulation on the restoration of peace between the two Governments, and will leave the camp for that purpose at three o'clock. The escort will be fixed in the General Order of his Excellency the Commander-in-chief.

The thirty-six pieces of Sikh artillery which were pointed against the British army, have been surrendered and brought into camp. The dis-

bandment of the Sikh army, its re-organization on the same rate of pay as in the time of the late Maharajah Runjeet Sing, and the limitations of its numbers, have been settled by the Treaty.

At the earnest solicitation of the Government of the Maharajah Dhuleep Sing, the Governor-General has consented to occupy the citadel and town of Lahore by British troops, for a limited period, that opportunity may be afforded the Lahore Government, of completing the re-organization of its army, according to the stipulations of the Treaty.

If, by the good offices of the British Government, peace and order can take the place of the military anarchy and misrule by which the Sikh nation has been brought to the verge of dissolution, the Governor-General will rejoice that the co-operation of the British Government, by the aid of its faithful army, shall have been successful in effecting that object. It is the strongest proof which the British Government can give, of the sincerity of its desire to see a Sikh Government re-established. The British Government having afforded the protection desired, the troops will be withdrawn before the end of the year. The details of the force will be determined between the Governor-General and his Excellency the Commander-in-chief. During the period of occupation, the native troops will continue to receive Sinde pay and allowances.

It is by the valour and discipline of the British troops, led by their distinguished commanders, that these important and complete successes have been gained; and the Governor-General is confident that, during the temporary occupation of the fortified town of Lahore, the troops will prove, by their good conduct, that they are as generous and humane after victory, as they are brave and invincible in the field of battle.

By order of the Right Honorable the Governor-General of India.

F. CURRIE,

Secretary to the Government of India, with the Governor-General.

Inclosure 5 in No. 17.

Memorandum of the proceedings of a Durbar held at Lahore on the 9th of March, 1846.

AT four, P.M., of the 9th of March, a public Durbar was held in the state tent of the Right Honorable the Governor-General, at which his Excellency the Commander-in-chief and staff, his Excellency the Governor of Sinde and staff, with the British and Native officers invited in the Governor-General's order, dated 8th instant, attended.

The young Maharajah of Lahore, attended by the Minister Rajah Lal Sing, Rajah Golab Sing, the Commander-in-chief of the Lahore army, Sirdar Tej Sing, and about thirty other Sirdars and civil officers, with their suites, were present.

After the Treaty of Peace was ratified and exchanged with the usual ceremonies, the Governor-General addressed the Chiefs in the following terms, the address being translated, sentence by sentence, by the Secretary to the Government of India, Mr. F. Currie:—

“On this occasion of ratifying the Treaty of Peace between the British Government and the Maharajah Dhuleep Sing, in the presence of his Excellency the Commander-in-chief, his Excellency the Governor of Sinde, and the officers of the British army on the one hand, and the Sikh Chiefs on the other, I have to repeat the assurances which have so often been given by me and by my predecessors, of our desire that peace and friendship may always subsist between the two Governments.

“The British Government desires to see a Sikh Government re-established, which may be able to control its army, protect its subjects, and willing to respect the rights of its neighbours.

“By this Treaty, the Lahore Government has sufficient strength to resist and punish any Native Power which may venture to assail it, and to put down all internal commotions.

“Wisdom in council, and good faith in fulfilling its engagements, will

cause the Sikh Government to be respected, and enable it to preserve its national independence.

“For forty years it was the policy, in Runjeet Sing’s time, to cultivate friendly relations between the two Governments, and, during the whole of that period, the Sikh nation was independent and happy. Let the policy of that able man towards the British Government be the model for your future imitation.

“The British Government in no respect provoked the late war. It had no objects of aggrandizement to obtain by hostilities. The proof of its sincerity is to be found in its moderation in the hour of victory.

“A just quarrel, followed by a successful war, has not changed the policy of the British Government. The British Government does not desire to interfere in your internal affairs. I am ready and anxious to withdraw every British soldier from Lahore. At the earnest solicitation of the Sikh Government, I have reluctantly consented to leave a British force in garrison at Lahore, until time shall have been afforded for the re-organization of the Sikh army, by which assistance the stipulations of the treaty may be more easily carried into effect.

“In no case can I consent that the British troops shall remain in garrison for a longer period than the end of this year.

“I state this publicly, that all the world may know the truth, and the motives by which I am actuated in this matter.

“The Sikh army must, according to the Treaty, be immediately re-organized, by reverting to the same system and rate of pay as in Runjeet Sing’s time.

“If the friendly assistance now afforded by the British Government be wisely followed up, and honest exertions made by the chiefs without delay, you will become an independent and prosperous State.

“The success or failure is in your own hands; my co-operation shall not be wanting, but if you neglect this opportunity, no aid on the part of the British Government can save the State.

“I leave my Political Agent, Major Lawrence, assisted by Major M’Gregor, and a most able General Officer, Sir John Littler, to command the British troops. These officers possess my entire confidence.

“Again I repeat, my anxious desire is to see a Sikh Government strong and respected, an obedient army, patriotic chiefs, and a happy people.

“I trust the reign of the Maharajah will be long and prosperous, and celebrated for the happiness of his people under a just and pacific Government.”

At the close of this address, the Sirdars expressed in warm terms their gratitude to the Governor-General, and their resolution to follow the advice his Excellency had given them.

The usual presents were then given, after which the Durbar broke up.

Inclosure 6 in No. 17.

Treaty between the British Government and the State of Lahore, concluded at Lahore, on March 9, 1846.

WHEREAS the Treaty of Amity and Concord, which was concluded between the British Government and the late Maharajah Runjeet Sing, the Ruler of Lahore, in 1809, was broken, by the unprovoked aggression, on the British provinces, of the Sikh army, in December last: and whereas, on that occasion, by the proclamation dated the 13th of December, the territories then in the occupation of the Maharajah of Lahore, on the left or British bank of the River Sutlej, were confiscated and annexed to the British provinces, and, since that time, hostile operations have been prosecuted by the two Governments, the one against the other, which have resulted in the occupation of Lahore by the British troops: and whereas it has been determined that, upon certain conditions, peace shall be re-established between the two Governments, the following Treaty of Peace between the Honorable English East India Company and Maharajah

Dhuleep Sing Bahadoor, and his children, heirs, and successors, has been concluded, on the part of the Honorable Company, by Frederick Currie, Esq., and Brevet Major Henry Montgomery Lawrence, by virtue of full powers to that effect vested in them by the Right Honorable Sir Henry Hardinge, G.C.B., one of Her Britannic Majesty's Most Honorable Privy Council, Governor-General, appointed by the Honorable Company to direct and control all their affairs in the East Indies; and, on the part of his Highness the Maharajah Dhuleep Sing, by Bhaee Ram Sing, Rajah Lal Sing, Sirdar Tej Sing, Sirdar Chutter Sing Attareewalla, Sirdar Runjore Sing Mujethea, Dewan Deena Nath, and Fakeer Noor-ood-deen, vested with full powers and authority on the part of his Highness.

Article 1. There shall be perpetual peace and friendship between the British Government, on the one part, and Maharajah Dhuleep Sing, his heirs and successors, on the other.

Article 2. The Maharajah of Lahore renounces for himself, his heirs and successors, all claim to, or connexion with, the territories lying to the south of the River Sutlej, and engages never to have any concern with those territories, or the inhabitants thereof.

Article 3. The Maharajah cedes to the Honorable Company, in perpetual sovereignty, all his forts, territories, and rights, in the Doab, or country, hill and plain, situate between the Rivers Beas and Sutlej.

Article 4. The British Government having demanded from the Lahore State, as indemnification for the expenses of the war, in addition to the cession of territory described in Article 3, payment of one and a-half crores of rupees; and the Lahore Government being unable to pay the whole of this sum at this time, or to give security, satisfactory to the British Government, for its eventual payment; the Maharajah cedes to the Honorable Company, in perpetual sovereignty, as equivalent for one crore of rupees, all his forts, territories, rights, and interests, in the Hill Countries which are situate between the Rivers Beas and Indus, including the Provinces of Cashmere and Hazarah.

Article 5. The Maharajah will pay to the British Government the sum of fifty lacs of rupees, on or before the ratification of this Treaty.

Article 6. The Maharajah engages to disband the mutinous troops of the Lahore army, taking from them their arms; and his Highness agrees to reorganize the regular, or Aicea, Regiments of Infantry, upon the system, and according to the regulations as to pay and allowances, observed in the time of the late Maharajah Runjeet Sing. The Maharajah further engages to pay up all arrears to the soldiers that are discharged under the provisions of this Article.

Article 7. The regular army of the Lahore State shall henceforth be limited to 25 battalions of Infantry, consisting of 800 bayonets each, with 12,000 Cavalry: this number at no time to be exceeded, without the concurrence of the British Government. Should it be necessary at any time, for any special cause, that this force should be increased, the cause shall be fully explained to the British Government; and, when the special necessity shall have passed, the regular troops shall be again reduced to the standard specified in the former clause of this Article.

Article 8. The Maharajah will surrender to the British Government all the guns, thirty-six in number, which have been pointed against the British troops, and which, having been placed on the right bank of the River Sutlej, were not captured at the battle of Sobraon.

Article 9. The control of the Rivers Beas and Sutlej, with the continuations of the latter river, commonly called the Garrah and the Punj-nud, to the confluence of the Indus at Mithunkote, and the control of the Indus from Mithunkote to the borders of Beloochistan, shall, in respect to tolls and ferries, rest with the British Government. The provisions of this Article shall not interfere with the passage of boats belonging to the Lahore Government on the said rivers, for the purposes of traffic, or the

conveyance of passengers up and down their course. Regarding the ferries between the two countries respectively, at the several ghats of the said rivers, it is agreed that the British Government, after defraying all the expenses of management and establishments, shall account to the Lahore Government for one-half of the net profits of the ferry collections. The provisions of this Article have no reference to the ferries on that part of the River Sutlej which forms the boundary of Bahawalpore and Lahore respectively.

Article 10. If the British Government should, at any time, desire to pass troops through the territories of his Highness the Maharajah, for the protection of the British territories, or those of their allies, the British troops shall, on such special occasion, due notice being given, be allowed to pass through the Lahore territories. In such case, the officers of the Lahore State will afford facilities in providing supplies and boats for the passage of rivers; and the British Government will pay the full price of all such provisions and boats, and will make fair compensation for all private property that may be endamaged. The British Government will moreover observe all due consideration to the religious feelings of the inhabitants of those tracts through which the army may pass.

Article 11. The Maharajah engages never to take, or retain, in his service, any British subject, nor the subject of any European or American State, without the consent of the British Government.

Article 12. In consideration of the services rendered by Rajah Golab Sing, of Jummo, to the Lahore State, towards procuring the restoration of the relations of amity between the Lahore and British Governments, the Maharajah hereby agrees to recognize the independent sovereignty of Rajah Golab Sing, in such territories and districts in the Hills, as may be made over to the said Rajah Golab Sing by separate agreement between himself and the British Government, with the dependencies thereof, which may have been in the Rajah's possession since the time of the late Maharajah Kurruk Sing; and the British Government, in consideration of the good conduct of Rajah Golab Sing, also agrees to recognize his independence in such territories, and to admit him to the privileges of a separate treaty with the British Government.

Article 13. In the event of any dispute or difference arising between the Lahore State and Rajah Golab Sing, the same shall be referred to the arbitration of the British Government; and by its decision the Maharajah engages to abide.

Article 14. The limits of the Lahore territories shall not be, at any time, changed, without the concurrence of the British Government.

Article 15. The British Government will not exercise any interference in the internal administration of the Lahore State; but, in all cases or questions which may be referred to the British Government, the Governor-General will give the aid of his advice and good offices for the furtherance of the interests of the Lahore Government.

Article 16. The subjects of either State shall, on visiting the territories of the other, be on the footing of the subjects of the most favoured nation.

This Treaty, consisting of sixteen Articles, has been this day settled by Frederick Currie, Esq., and Brevet Major Henry Montgomery Lawrence, acting under the directions of the Right Honorable Sir Henry Hardinge, G.C.B., Governor-General, on the part of the British Government; and by Bhaee Ram Sing, Rajah Lal Sing, Sirdar Tej Sing, Sirdar Chutter Sing Attareewalla, Sirdar Runjore Sing Majeethea, Dewan Deena Nath, and Fakeer Noor-ood-deen, on the part of the Maharajah Dhuleep Sing; and the said Treaty has been this day ratified by the seal of the Right Honorable Sir Henry Hardinge, G.C.B., Governor-General, and by that of his Highness Maharajah Dhuleep Sing.

Done at Lahore, this 9th day of March, in the year of our Lord, 1846, corresponding with the tenth day of Rubbee-ool-awul, 1262, Hijree, and ratified on the same day.

MAHARAJAH DHULEEP
SING. (L.S.)

BHAAE RAM SING. (L.S.)

RAJAH LAL SING. (L.S.)

SIRDAR TEJ SING. (L.S.)

SIRDAR CHUTTER SING

ATTAREEWALLA. (L.S.)

SIRDAR RUNJORE SING

MUJEETHEA. (L.S.)

DEWAN DEENA NATH.

(L.S.)

FAQUEER NOOROODDEEN.

(L.S.)

H. HARDINGE. (L.S.)

F. CURRIE.

H. M. LAWRENCE.

Inclosure 7 in No. 17.

Memorandum of a State Visit paid by the Governor-General to the Maharajah of Lahore, in His Highness's Palace, on the 10th March, 1846.

ON the afternoon of the 10th of March, the Governor-General, attended by his Excellency the Commander-in-chief, his Excellency the Governor of Sind, and the British officers who were present at the ratification of the Treaty, on the 9th instant, paid a visit of congratulation to the Maharajah Dhuleep Sing at the palace in Lahore. On this occasion Dewan Deena Nath, by direction of the Minister and assembled chiefs, read, from a written paper, an address, of which the following is a translation:—

“It is impossible for us adequately to express the gratitude which we feel to the Governor-General, for his having determined to continue the ancient relations which existed with the late Maharajah Runjeet Sing, and for his generosity, kindness, and mercy, in maintaining this Government.

“For the excellent advice which was given yesterday, through kindness and friendship, to the assembled Sirdars, exhorting them to unanimity, prudence, and good government, we are also most grateful. We consider this good advice as having a direct tendency to effect the re-establishment of the Government of the country. We have further to express our gratitude for arrangements having generously been made, in compliance with our solicitations, for leaving a garrison in Lahore of British troops, with Major Lawrence and other trustworthy officers, for our protection and that of the city.

“These troops will assuredly be honorably dismissed towards the Sutlej, upon a satisfactory settlement of affairs being effected within the period prescribed for their stay.

“The various acts of generosity shown by the Governor-General on the present occasion, entirely satisfy us that his Excellency will ever maintain the same magnanimous and generous policy towards this State, and that, taking compassion on the extreme youth of the Maharajah, his Excellency will maintain all those friendly relations which existed in the time of the late Maharajah Runjeet Sing.”

After the presentation by the Maharajah, of the usual offerings, the Governor-General and suite returned to camp.

Inclosure 8 in No. 17.

Note of the Proceedings of a Meeting of the Minister and Chiefs of the Lahore Durbar and the British Commissioners, held at the Tent of the Governor-General's Agent, on the 11th of March, 1846.

ON the forenoon of the 11th instant, the Minister and chiefs of the Durbar attended at the tent of the Governor-General's Agent, when the following agreement was concluded, and subsequently confirmed by the Right Honorable the Governor-General:—

Articles of Agreement concluded between the British Government and the Lahore Durbar, on the 11th of March, 1846.

WHEREAS the Lahore Government has solicited the Governor-General to leave a British force at Lahore for the protection of the Maharajah's person and of the capital, till the re-organization of the Lahore army, according to the provisions of Article 6 of the Treaty of Lahore, dated the 9th instant: and whereas the Governor-General has, on certain conditions, consented to the measure: and whereas it is expedient that certain matters concerning the territories ceded by Articles 3 and 4 of the aforesaid Treaty, should be specifically determined, the following eight Articles of Agreement have this day been concluded between the afore-mentioned contracting parties:—

Article 1. The British Government shall leave at Lahore, till the close of the current year, A.D. 1846, such force as shall seem to the Governor-General adequate for the purpose of protecting the person of the Maharajah, and the inhabitants of the city of Lahore, during the re-organization of the Sikh army in accordance with the provisions of Article 6 of the Treaty of Lahore; that force to be withdrawn at any convenient time before the expiration of the year, if the object to be fulfilled shall, in the opinion of the Durbar, have been attained; but the force shall not be detained at Lahore beyond the expiration of the current year

Article 2. The Lahore Government agrees that the force left at Lahore, for the purpose specified in the foregoing Article, shall be placed in full possession of the fort and the city of Lahore, and that the Lahore troops shall be removed from within the city. The Lahore Government engages to furnish convenient quarters for the officers and men of the said force, and to pay to the British Government all the extra expenses, in regard to the said force, which may be incurred by the British Government, in consequence of their troops being employed away from their own cantonments and in a foreign territory.

Article 3. The Lahore Government engages to apply itself immediately and earnestly to the reorganization of its army, according to the prescribed conditions, and to communicate fully with the British authorities left at Lahore, as to the progress of such reorganization, and as to the location of the troops.

Article 4. If the Lahore Government fails in the performance of the conditions of the foregoing Article, the British Government shall be at liberty to withdraw the force from Lahore, at any time before the expiration of the period specified in Article 1.

Article 5. The British Government agrees to respect the *bond fide* rights of those jagheerdars within the territories ceded by Articles 3 and 4 of the Treaty of Lahore, dated 9th instant, who were attached to the families of the late Maharajah Runjeet Sing, Kurruk Sing, and Shere Sing; and the British Government will maintain those jagheerdars in their *bond fide* possessions, during their lives.

Article 6. The Lahore Government shall receive the assistance of the British local authorities in recovering the arrears of revenue justly due to

the Lahore Government from their kardars and managers in the territories ceded by the provisions of Article 3 and 4 of the Treaty of Lahore, to the close of the Khurreef harvest of the current year, viz., 1902 of the Sumbut Bikramajeet.

Article 7. The Lahore Government shall be at liberty to remove from the forts in the territories specified in the foregoing Article, all treasure and State property, with the exception of guns. Should, however; the British Government desire to retain any part of the said property, they shall be at liberty to do so, paying for the same at a fair valuation; and the British officers shall give their assistance to the Lahore Government, in disposing on the spot of such part of the aforesaid property as the Lahore Government may not wish to remove, and the British officers may not desire to retain.

Article 8. Commissioners shall be immediately appointed by the two Governments, to settle and lay down the boundary between the two States, as defined by Article 4 of the Treaty of Lahore, dated March 9, 1846.

MAHARAJAH DHULEEP
SING. (L.S.)
BHAEE RAM SING. (L.S.)
RAJAH LAL SING. (L.S.)
SIRDAR TEJ SING. (L.S.)
SIRDAR CHUTTER SING
ATTAREEWALLA. (L.S.)
SIRDAR RUNJORE SING
MUJEETHEA. (L.S.)
DEWAN DEENA NATH
(L.S.)
FAQUEER NOOROODDEEN.
(L.S.)

H. HARDINGE. (L.S.)
F. CURRIE.
H. M. LAWRENCE.

Inclosure 9 in No. 17.

Treaty between the British Government and Maharajah Golab Sing, concluded at Umritsir, on March 16, 1846.

TREATY between the British Government on the one part, and Maharajah Golab Sing, of Jummoo, on the other, concluded, on the part of the British Government, by Frederick Currie, Esq. and Brevet Major Henry Montgomery Lawrence, acting under the orders of the Right Honorable Sir Henry Hardinge, G. C. B., one of Her Britannic Majesty's Most Honorable Privy Council, Governor-General, appointed by the Honorable Company to direct and control all their affairs in the East Indies, and by Maharajah Golab Sing in person.

Article 1. The British Government transfers and makes over, for ever, in independent possession, to Maharajah Golab Sing, and the heirs male of his body, all the hilly or mountainous country, with its dependencies, situated to the eastward of the River Indus, and westward of the River Ravee, including Chumba and excluding Lahool, being part of the territory ceded to the British Government by the Lahore State, according to the provisions of Article 4 of the Treaty of Lahore, dated March 9, 1846.

Article 2. The eastern boundary of the tract transferred by the foregoing Article to Maharajah Golab Sing shall be laid down by Commissioners appointed by the British Government and Maharajah Golab Sing respectively, for that purpose, and shall be defined in a separate engagement, after survey.

Article 3. In consideration of the transfer made to him and his heirs, by the provisions of the foregoing Articles, Maharajah Golab Sing will pay to the British Government the sum of seventy-five lacs of

rupees (Nanuckshahee), fifty lacs to be paid on ratification of this Treaty, and twenty-five lacs on or before the 1st of October of the current year, A. D. 1846.

Article 4. The limits of the territories of Maharajah Golab Sing shall not be at any time changed, without the concurrence of the British Government.

Art. 5. Maharajah Golab Sing will refer to the arbitration of the British Government any disputes or questions that may arise between himself and the Government of Lahore, or any other neighbouring State, and will abide by the decision of the British Government.

Article 6. Maharajah Golab Sing engages, for himself and heirs, to join, with the whole of his military force, the British troops when employed within the hills, or in the territories adjoining his possessions.

Article 7. Maharajah Golab Sing engages never to take, or retain, in his service, any British subject, nor the subject of any European or American State, without the consent of the British Government.

Article 8. Maharajah Golab Sing engages to respect, in regard to the territory transferred to him, the provisions of Articles 5, 6, and 7, of the separate engagement between the British Government and the Lahore Durbar, dated March 11, 1846.

Article 9. The British Government will give its aid to Maharajah Golab Sing, in protecting his territories from external enemies.

Article 10. Maharajah Golab Sing acknowledges the supremacy of the British Government, and will, in token of such supremacy, present annually to the British Government, one horse, twelve perfect shawl goats of approved breed (six male and six female), and three pairs of Cashmere shawls.

This Treaty, consisting of Ten Articles, has been this day settled by Frederick Currie, Esq, and Brevet Major Henry Montgomery Lawrence, acting under the directions of the Right Honorable Sir Henry Hardinge, G.C.B., Governor-General, on the part of the British Government, and by Maharajah Golab Sing in person; and the said Treaty has been this day ratified by the seal of the Right Honorable Sir Henry Hardinge, G.C.B., Governor-General.

Done at Umritsir, this 16th day of March, in the year of our Lord, 1846, corresponding with the 17th day of Rubhee-ool-awul, 1262, Hijree.

GOLAB SING. (L.S.)

H. HARDINGE (L.S.)

E. CURRIE.

H. M. LAWRENCE

TARIFFS, &c. (BRITISH INDIA).

RETURN to an Order of the Honourable The House of Commons,
dated 10 February 1846;—for,

COPIES “of the existing TARIFFS and COMMERCIAL REGULATIONS of BRITISH
INDIA and the Dependencies thereof, on EXPORTS and IMPORTS, in the same
manner as those laid before The House of the European and American States.”

(*Mr. Hume*)

Ordered, by The House of Commons, to be Printed,
10 March 1846.

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East India House,
26 February 1846.]

T. L. Peacock,
Examiner of India Correspondence.

COPIES of the existing TARIFFS and COMMERCIAL REGULATIONS of BRITISH INDIA, and the Dependencies thereof, on EXPORTS and IMPORTS.

East India House, }
26 February 1846. }

JAMES C MELVILL.

ACT No. XIV. of 1836.

Passed by the Right Honourable the Governor-General of India in Council, on the 30th May 1836.

I. It is hereby enacted, that from the 1st June next, such parts of Regulations IX. and X. 1810, Regulation XV. 1825, and of any other Regulations of the Bengal Presidency, as prescribe the levy of transit or inland customs duties, or of town duties; and likewise the schedules of duties and provisions of any kind contained in these or any other Regulations for fixing the amount of duty to be levied upon goods imported into or exported from the said Presidency by sea, shall be repealed: Provided, however, that nothing herein contained shall be construed to prevent the levy of duties at the rates now in force at the custom-houses and chokies established on the line of the Jumna, or on any frontier line, upon goods crossing that line for import into or export from the territory of the East India Company by land, nor to affect the Regulations in force for imposing and levying duties on salt, the produce of Western and Central India.

Regulations imposing transit and town duties in the interior, and fixing rates of import and export duty on sea goods, repealed

Except as regards the Jumna frontier line.

And duties on Western salt.

II. And it is hereby enacted, that duties of customs shall be levied on goods imported by sea into Calcutta, or into any other place within the provinces of Bengal and Orissa, according to the rates specified in Schedule A. annexed to this Act, and with the exceptions specified therein, and the said Schedule, with the notes attached thereto, shall be taken to be a part of this Act.

Import duties to be levied according to Schedule A. annexed.

III. And it is hereby further enacted, that duties of customs shall be levied upon country goods exported by sea from any port of Bengal or Orissa, according to the rates specified in Schedule B. annexed to this Act, with the exceptions therein specified, and the said Schedule, with the notes attached thereto, shall also be taken to be a part of this Act.

Export duties to be collected on country goods according to Schedule B. annexed.

IV. And it is hereby enacted, that no goods or articles whatsoever, entered in either of the said Schedules as liable to duty, shall be exempted from the payment of such duty or of any part thereof, except under special order from the Governor of Bengal; provided, however, that it shall and may be lawful for the collector of customs, or other officer in charge of a custom-house, to pass free of duty, as heretofore, any baggage in actual use, at his discretion, and in case of any person applying to have goods passed as such, the collector acting under the orders of the Board of Customs, Salt and Opium, shall determine whether they be baggage in actual use, or goods subject to duty under the rules of this Act.

No goods entered therein as liable to duty to be exempted, except by order of Government

But the collector may pass baggage belonging to passengers at his discretion.

V. And it is hereby enacted, that the Rules and Regulations now established for the levy of duties of customs on goods imported into or exported from Calcutta and other ports of the Presidency of Fort William in Bengal, shall continue to be in force, and shall be observed and applied for the levy of the import and export duties imposed by this Act, unless repealed or altered, or repugnant to the provisions thereof.

Existing rules to be enforced for levying the new import and export duties.

VI. And it is hereby enacted, that it shall be lawful for the Governor of the Presidency of Fort William in Bengal, by an order printed in the "Calcutta Gazette," to fix a place in any river or port in Bengal or Orissa, beyond which place it shall not be lawful for any inward-bound vessel, save and except such dhonies and country craft as are referred to in Section XXII. of this Act, to pass until the master or commander shall have delivered to the pilot on board, for the purpose of being forwarded by the public dawk or otherwise, as may be ordered by the Board of Customs, Salt and Opium, a manifest made out in the form prescribed by Section 45, Regulation IX. 1810: And it is hereby enacted, that if the manifest so delivered by the master and commander shall not contain a full and true specification of all the goods imported in the vessel, the master or person

Place may be fixed by Governor of Bengal, beyond which an inward-bound vessel is not to proceed until a manifest has been delivered to pilot to be forwarded.

Master to be responsible for its correctness under penalty of 1,000 rupees.

4 EXISTING TARIFFS AND COMMERCIAL REGULATIONS

Goods in excess, or not corresponding with manifest, to be seized and confiscated.

Or charged with increased duties.

The masters of vessels lying below, to deliver manifests on coming to anchor.

If remaining at anchor 24 hours without sending manifest, to be subject to penalty of 1,000 rupees

No vessel to break bulk unless two copies of manifest have been received

And entry may be refused until papers of the places of departure are delivered.

Collector may send Custom-house officer on board any vessel—

To remain on board till she sails

Persons refusing to admit Custom house officers, or not giving them proper accommodation, liable to fine

Collector may order a vessel to be searched.

Bulkheads to be broken open if not opened on requisition.

Any concealed goods to be confiscated.

Resistance or refusal of masters punishable with fine of 1,000 rupees.

Goods not to be landed or put on board till entry of the ship is duly made.

Cargo to be sent ashore and laden outwards, according to existing forms.

in charge thereof, shall be liable to a fine of 1,000 rupees; and any goods or packages that may be found on board in excess of the manifest so delivered, or differing in quality or kind, or in marks and numbers, from the specification contained therein, shall be liable to be seized and confiscated, or to be charged with such increased duties as may be determined by the Board of Customs, Salt and Opium; and if any inward-bound vessel shall remain outside, or below the place so fixed by the Governor of Bengal, the master or commander shall in like manner deliver to the pilot, so soon as the vessel shall anchor, a manifest as above prescribed; and if any vessel entering a port for which there is a custom-house established, shall lie at anchor therein for the space of 24 hours, the master and commander whereof shall neglect to deliver the said manifest to the pilot on board, he shall for such neglect be liable to forfeit the sum of 1,000 rupees, and no entry or port clearance shall be given for such vessel until the fine is paid.

VII. And it is hereby enacted, that no vessel shall be allowed to break bulk until the manifest described in the preceding section of this Act, and another copy thereof to be presented at the time of applying for entry inwards, shall have been received by the collector of customs, and order shall have been given by the said collector for the discharge of the cargo, and the said collector may further refuse to give such order if he shall see fit, until any port clearances, cocketts or other papers, known to be granted at the places from which the vessel is stated to have come, shall likewise be delivered to him.

VIII. And it is hereby enacted, that it shall be competent to the collector of customs at any port of Bengal or Orissa, at his discretion, to send one or more officers of customs on board of any vessel at any time, and the custom-house officer so sent, shall remain on board of such vessel by day and by night, until the vessel shall leave the port, or until it be otherwise ordered by the collector of customs.

IX. And it is hereby enacted, that any master or person in charge of such vessel, who shall refuse to receive a custom-house officer on board when so deputed as above provided, or shall not afford such officer suitable shelter and sleeping accommodation while on board, shall be liable to fine not exceeding the sum of 500 rupees for each day during which such officer shall not be received and provided with suitable shelter and accommodation, which fine shall be adjudged by and at the discretion of the Board of Customs, Salt and Opium at Calcutta, and the vessel by the master or person in charge of which such fine shall have been incurred, shall not be moved until the same shall be paid.

X. And it is hereby enacted, that whenever a collector of customs shall see cause to direct that any vessel shall be searched, he shall issue his warrant or written order for the same, addressed to the custom-house officer on board, or to any other officer under his authority, and upon production of such order, the officer bearing it shall be competent to require any cabins, lockers or bulkheads to be opened in his presence, and if not opened upon his requisition, to break the same open, and any goods that may be found concealed, and that shall not be duly accounted for to the satisfaction of the collector of customs, shall be confiscated, and any master or person in charge of a vessel, who shall resist such officer, or refuse to allow the vessel to be searched when so ordered by the collector of customs, shall be liable, upon conviction for every such offence, to a fine of 1,000 rupees, to be adjudged by any magistrate or justice of the peace of the place.

XI. And it is hereby enacted, that no goods shall be allowed to leave any vessel, or to be put on board thereof, until entry of the vessel shall have been duly made in the custom-house of the port, and order shall have been given for discharge of the cargo thereof as above provided; and it shall be the duty of the custom-house officer on board, and of all officers of customs to seize as contraband, any goods which shall have been removed or put on board of any vessel, in contravention of the above provision, or which any attempt shall have been made to remove from, or to put on board of any vessel in contravention of the above provision; and after entry of the vessel at the custom-house in due form, such part of the cargo as may not be intended and declared for re-exportation in the same vessel, shall be sent to land; and export cargo shall be laden on board thereof, according to the rules and practice now in force, and if an attempt be made to land or put on board goods or merchandize in contravention thereof, the goods or merchandize shall be liable to seizure and confiscation.

XII. Provided

XII. Provided however, and it is hereby enacted, that no goods shall be allowed to leave any vessel under the said rules, unless the same be duly manifested, and any goods found on board in excess of the manifest, or not corresponding with the specification and description therein contained, shall be seized by the custom-house officer on board, in order that they may be dealt with as prescribed in Section VI. of this Act; and if goods entered in the manifest shall not be found on board the vessel, or if the quantity found be short, and the deficiency be not duly accounted for, or if goods sent out of the vessel be not landed at the custom-house, or at such other ghaut or place as the collector of customs shall have prescribed or permitted, there to be passed in due form, the master or commander shall be liable to a penalty not exceeding 500 rupees for every missing or deficient package of unknown value, and for twice the amount of duty chargeable on the goods deficient and unaccounted for, if capable of being assessed therewith; provided, however, that nothing herein contained shall be construed to prevent the collector of customs from permitting the master or commander of any vessel to amend obvious errors, or to supply omissions from accident or inadvertence, by furnishing an amended or supplemental manifest, but the receiving of such shall always be discretionary.

Goods unmanifested not to be landed in ordinary form

But to be seized on board.

Master to be answerable that all goods manifested are forthcoming and duly passed

Under penalty of 500 rupees for each missing package of unknown value, or double duty if assessable

Rule for presenting an amended or supplemental manifest

XIII. And it is hereby enacted, that any custom-house officer whatsoever who shall demand or accept any gratuity not authorized by any existing Regulation or order of Government, in consideration of doing, or of omitting to do any act in his official capacity, shall forfeit for every such offence, the sum of 500 rupees, and any person who shall offer a bribe to any custom-house officer in order to induce such officer to act in a manner inconsistent with his duty, shall forfeit a like sum, and these penalties shall be adjudged on conviction before any magistrate or justice of the peace of the town, district or place where the custom-house may be established by such magistrate, and in default of payment, any person so convicted shall be committed to the civil jail of the city or district until the fine be paid, or for a period not exceeding six months.

Custom-house officers taking unauthorized fees or bribes subject to penalty of 500 rupees

Same penalty on persons offering

XIV. And it is hereby enacted, that when goods shall be seized as contraband and liable to confiscation, the collector of customs shall investigate the case, and according to his judgment, shall either release the goods or adjudge them to confiscation, and whenever he shall declare goods to be confiscated, he shall report his proceedings for confirmation and final adjudication by the Board of Customs, Salt and Opium; provided, however, that nothing herein contained shall be construed to prevent the Governor of Bengal from ordering the release of goods seized, or from remitting any penalty whatsoever that may be incurred for contravention of the customs laws.

Collector to investigate and adjudge confiscation

Board's confirmation necessary

XV. And it is hereby further enacted, that 20 days, exclusive of Sundays and holidays, shall be allowed for the discharge of the import cargo of vessels not exceeding 600 tons burthen, and 30 days, exclusive of Sundays and holidays, for the discharge of the import cargo of vessels exceeding that burthen, and the said periods shall be calculated from the day of the tidewaiter or other custom-house officer first going on board; and if the whole cargo be not discharged by the expiration of the above stated periods respectively, the master or commander shall be charged with the tidewaiter's or other officer's wages and other expenses, for any further period that he or they may be detained on board; and if the owners, importers or consignees do not bring their goods to land within the periods above fixed, it shall be the duty of the master or commander so to do; and if any goods remain on board after the time fixed as above, for the discharge of the import cargo, the collector may order the same to be landed and warehoused for the security of the duties chargeable, and of any freight and primage and other demands that may be due thereon, giving his receipt to the master for the same. Provided always, that in all cases it shall be lawful for the collector or other officer in charge of the custom-house, with the consent of the master of the vessel, to cause any packages to be brought on shore and to be deposited in the Government warehouse for the security of the duties and charges thereon, although 20 days may not have expired from the entry of such vessel; and in case goods so landed and warehoused, or any goods brought to land from any vessel, be not claimed and cleared from the custom-house within three months from the date of landing, it shall be competent to the collector to sell the same on account of the duties, freight and other charges incurred and due thereon.

Twenty or thirty days allowed to clear inwards according to tonnage

After which the master to pay charges of the Custom-house officer

Master to land goods if consignees do not

If these fail, a collector may land and warehouse.

And may land packages before 20 days, with consent of master

XVI. And it is hereby enacted, that a further period of 15 days, Sundays and holidays excluded, shall be allowed for putting on board export cargo, if the vessel shall

Further period of 15 or 20 days for continuous loading for export

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shall not exceed 600 tons burthen, and 20 days, if exceeding that burthen, when the lading and unloading thereof shall be continuous, and the master or commander shall in such case not be charged with the wages and expenses of the custom-house officer on board until after the expiration of such additional periods respectively; and if a vessel having discharged its import cargo shall be laid up, the custom-house officer on board shall be withdrawn so soon as he shall certify that no goods remain on board excepting necessary stores and articles for use, and when a vessel so laid up, shall be entered at the custom-house for receipt of export cargo, a custom-house officer shall be sent on board, and if the said last-mentioned officer shall certify that no goods are on board saving as above excepted, 20 days, exclusive of Sundays and holidays as above, shall be allowed from the date of such certificate for the lading outwards of a vessel not exceeding 600 tons, and 30 days for vessels exceeding that burthen, after which periods respectively, the master and commander shall be charged with the wages and expenses of the custom-house officer on board to the date of the vessel's sailing from the port.

If the vessel be laid up, tidewater to search and leave, certifying that it is empty.

Twenty and Thirty days, according to tonnage, allowed for lading a vessel outwards after being laid up, but search and certificate that nothing is on board necessary

When penalty has been incurred by a master—

The Collector may refuse port clearance of the vessel till it be paid

Goods shipped after port clearance to pay double duty, and five per cent. if free.

In case of re-landing for damage, &c., officer to proceed on board to watch.

And cargo not to be exempt from duty on re-export, unless all the while in charge of custom-house officers

Proviso for re-impotation when duties and drawbacks are to be refunded

And master to forfeit the value of drawback, goods not forthcoming

No refund of export duty after port clearance

Arabs and other Foreign Asiatic vessels to be deemed foreign

Dhoonies, &c. to be required to anchor in a particular part of the river

Penalty if not moved and Ghat when required, 100 rupees.

XVII. And it is hereby enacted, that if any person in charge of a vessel shall have become liable to any penalty, fine or demand, on account of any act or omission relating to customs, the collector of customs shall be competent, subject to the orders of the Board of Customs, Salt and Opium, to refuse port clearance to such vessel until the fine shall be discharged.

XVIII. And it is hereby enacted, that upon any goods passed through the custom-house for shipment, the application for which shall be presented after port clearance shall have been taken out, double the prescribed duty shall in all cases be levied, and if the goods be free, five per cent. upon the market value shall be levied thereon.

XIX. And it is hereby enacted, that when a vessel having cleared out from any port shall put back from stress of weather, or it shall for any damage, or from other cause, be necessary that the cargo of a vessel that has cleared out shall be unshipped or re-landed, a custom-house officer shall be sent to watch the vessel and take charge of the cargo during such re-landing or removal from on board; and the goods on board such vessel shall not be allowed to be transhipped or re-exported free of duty, by reason of the previous settlement of duty at the time of first export, unless the goods shall be lodged in such place as shall be allowed by the collector of customs, and shall remain while on land or while on board of any other vessels under special charge of the officers of customs, until the time of re-export, and all charges attending such custody shall be borne by the exporter, or by the applicant for this advantage; provided, however, that in all cases of return to port after port clearance on account of damage or for stress of weather, it shall be lawful for the owner, or for the master and commander to re-enter the vessel and land the cargo under the rules for the importation of goods, and the export duty shall in that case be refunded, and the amount paid in drawback be reclaimed, and the goods be placed in all respects as before being passed for exportation; and if goods on account of which drawback has been paid, be not found on board the vessel, the master shall forfeit the entire value thereof, unless he account for them to the satisfaction of the collector of customs.

XX. And it is hereby enacted, that when goods shall be re-landed before the lading of any vessel is complete, and port clearance has been granted, the duty levied upon such goods shall be returned to the exporter, but no refund shall be made of duty paid on the export of any goods after port clearance shall have been granted for the vessel on which the goods were exported, except the vessel shall have put back for stress of weather, or for damage, and the goods shall have been re-landed under the rule contained in Section XIX. of this Act.

XXI. And it is hereby further enacted, that vessels owned by natives of Arabia, and coming from the ports thereof, and likewise the vessels of any country or port of Asia, not subject to the dominion of the King of the United Kingdom of Great Britain and Ireland, excepting dhoonies and small craft from the Maldiva and Nicobar Islands as herein under provided, shall be deemed Foreign vessels.

XXII. And it is hereby enacted, that dhoonies, country craft, and other small vessels not brought into the port of Calcutta by pilots, shall be required to anchor and moor in such part of the River Hooghly as shall be marked out by the collector of customs, with the sanction of the Board of Customs, Salt and Opium; and if any such vessel shall anchor in any other part of the river than as so marked out, and the master or person in charge thereof shall not immediately upon being ordered so to do, move his vessel to the place marked out, he shall

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be liable to a fine of 100 rupees, to be adjudged by the collector of customs, and the vessel, or any part of its equipment or cargo may be seized and sold in satisfaction of such fine, and goods shall be landed from such vessels, and put on board for export according to such rules, and at such places as shall be prescribed by the collector of customs, and vessels of this description coming from the Maldives, or from the Nicobar Islands, shall be considered as British vessels.

Vessel, its equipment or cargo, may be seized.

Dhoomies, &c. from Maldives and Nicobars to be British vessels.

SCHEDULE A.

RATES of DUTY to be charged on Goods Imported by Sea into any Port of the Presidency of Fort William in Bengal.

No	Enumeration of Goods	When Imported on British Bottoms.	When Imported on Foreign Bottoms
1	Bullion and coin - - - - -	free - - -	free.
2	Precious stones and pearls - - - - -	ditto - - -	ditto.
3	Gram and pulse - - - - -	ditto - - -	ditto.
4	Horses and other living animals - - - - -	ditto - - -	ditto.
5	Ice - - - - -	ditto - - -	ditto.
6	Coal, coke, bricks, chalk and stones - - - - -	ditto - - -	ditto.
7	Books printed in the United Kingdom, or in any British Possession.	ditto - - -	3 per cent.
8	Foreign Books - - - - -	3 per cent. - - -	6 per cent.
9	Marine stores, the produce or manufacture of the United Kingdom, or of any British Possession.	3 per cent. - - -	6 per cent.
10	Ditto - - ditto, the produce or manufacture of any other place or country.	6 per cent. - - -	12 per cent.
11	Metals, wrought or unwrought, the produce or manufacture of the United Kingdom, or any British Possession.	3 per cent. - - -	6 per cent.
12	Metals, ditto - - ditto, excepting tin, the produce or manufacture of any other place.	6 per cent. - - -	12 per cent.
13	Tin, the produce of any other place than the United Kingdom, or any British Possession.	10 per cent. - - -	20 per cent.
14	Woollens, the produce or manufacture of the United Kingdom, or any British Possession.	2 per cent. - - -	4 per cent.
15	Ditto, the produce of any other place or country.	4 per cent. - - -	8 per cent.
16	Cotton and silk piece goods, cotton twist and yarn, the produce of the United Kingdom, or of any British Possession.	3½ per cent. - - -	7 per cent.
17	Ditto, the produce of any other place - - -	7 per cent. - - -	14 per cent.
18	Opium - - - - -	24 rupees per seer of 80 tolas.	24 rupees per seer of 80 tolas
19	Salt - - - - -	3-4 rupees per maund of 80 tolas per seer.	3-4 rupees per maund of 80 tolas per seer
20	Alum - - - - -	10 per cent. - - -	20 per cent.
21	Camphor - - - - -	10 per cent. - - -	20 per cent.
22	Cassia - - - - -	10 per cent. - - -	20 per cent.
23	Cloves - - - - -	10 per cent. - - -	20 per cent.
24	Coffee - - - - -	7½ per cent. - - -	15 per cent.
25	Coral - - - - -	10 per cent. - - -	20 per cent.
26	Nutmegs and mace - - - - -	10 per cent. - - -	20 per cent.
27	Pepper - - - - -	10 per cent. - - -	20 per cent.
28	Rattans - - - - -	7½ per cent. - - -	15 per cent.
29	Tea - - - - -	10 per cent. - - -	20 per cent.
30	Vermilion - - - - -	10 per cent. - - -	20 per cent.
31	Wines and liqueurs - - - - -	10 per cent. - - -	20 per cent.
32	Spirits, consolidated duty, including that levied heretofore through the police of Calcutta. And the duty on spirits shall be rateably increased as the strength exceeds of London proof, and when imported in bottles, five quart bottles shall be deemed equal to the imperial gallon.	9 annas per imperial gallon.	16 annas per imperial gallon.
33	All articles not included in the above enumeration.	3½ per cent. - - -	7 per cent.

And when the duty is declared to be ad valorem, it shall be levied on the market value without deduction, and if the collector of customs shall see reason to doubt whether the goods come from the country from which they are declared to come by the importer, it shall be lawful for the collector of customs to call on the importer to furnish evidence as to the place of manufacture or production, and if such evidence shall not satisfy the said collector

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of the truth of the declaration, the goods shall be charged with the highest rate of duty, subject always to an appeal to the Board of Customs, Salt and Opium.

And upon the re-export by sea of goods imported, excepting opium and salt, provided the re-export be made within two years of the date of import as per custom-house register, and the goods be identified to the satisfaction of the collector of customs, there shall be retained one-eighth of the amount of duty levied, and the remainder shall be repaid as drawback. And if goods be re-exported in the same ship without being landed (always excepting opium and salt, in regard to which the special rules in force shall continue to apply) there shall be no import duty levied thereon.

SCHEDULE B.

RATES of DUTY to be charged upon Goods Exported by Sea from any Port or Place in the Presidency of Fort William in Bengal.

No.	Enumeration of Goods	Exported on British Bottoms.	Exported on Foreign Bottoms.
1	Bullion and coin - - - - -	free - - - - -	free.
2	Precious stones and pearls - - - - -	ditto - - - - -	ditto.
3	Books printed in India - - - - -	ditto - - - - -	ditto.
4	Horses and living animals - - - - -	ditto - - - - -	ditto.
5	Opium purchased at Government sales in Calcutta.	ditto - - - - -	ditto.
6	Cotton wool, exported to Europe, the United States of America or any British Possession in America.	ditto - - - - -	8 annas per maund of 80 tolas to the seer.
7	Ditto - - ditto, exported to places other than above.	8 annas per maund of 80 tolas per seer.	16 annas per maund of 80 tolas to the seer.
8	Sugar and rum, exported to the United Kingdom, or to any British Possession.	free - - - - -	3 per cent.
9	Ditto, exported to any other place - - - - -	3 per cent. - - - - -	6 per cent.
10	Grain and pulse of all sorts - - - - -	1 anna per bag, not exceeding 2 maunds of 80 tolas to the seer, or if exported otherwise than in bags, $\frac{1}{2}$ an anna per maund.	2 annas per bag, not exceeding 2 maunds of 80 tolas to the seer, or if exported otherwise than in bags, 1 anna per maund.
11	Indigo - - - - -	3 rupees per maund of 80 tolas to the seer.	6 rupees per maund of 80 tolas to the seer.
12	Lac dye and shell lac - - - - -	4 per cent. - - - - -	8 per cent.
13	Silk, raw filature - - - - -	3 $\frac{1}{2}$ annas per seer of 80 tolas.	7 annas per seer of 80 tolas.
14	Silk, Bengal wound - - - - -	3 annas per seer of 80 tolas.	6 annas per seer of 80 tolas.
15	Tobacco - - - - -	4 annas per maund	8 annas per maund.
16	All country articles not enumerated or named above.	3 per cent. - - - - -	6 per cent.

And when the duty is declared to be ad valorem, the same shall be levied on the market value of the article at the place of export, without deduction.

And in settling for the duties on exports by sea, credit shall be given for payment of inland customs duty, and drawback shall be allowed of any excess of duty paid upon production of ruwanas under the following conditions, until the 1st April 1837 :

1st. That the goods shall be identified, and destination to the port of export proved in the usual manner.

2d. That the ruwanas shall bear date before the 1st April 1836, and the goods shall not have been protected thereby, or by the original thereof, more than two years.

And after the said 1st April 1837, credit shall not be given, nor shall drawback be allowed of any inland customs or land frontier duty paid at any custom-house or chokee of the Jumna frontier line, or of Benares, except only upon the article of cotton wool covered by ruwanas taken out at the custom-houses of the Western Provinces, and proved to have been destined for export by sea when passed out of those provinces.

ACT No. XXV. of 1836

Passed by the Right Honourable the Governor-General of India in Council, on the 31st October 1836.

I. It is hereby enacted, that it shall be lawful for the Governor, or Governor in Council of any Presidency, to declare any port within the territories of such Presidency, a warehousing port.

Governments of Presidencies to declare warehousing ports.

II. And it is hereby enacted, that it shall be lawful for any person who imports goods into any such warehousing port, to lodge such goods in any public warehouse, or in any private warehouse, licensed in the manner hereinafter described.

Importers may then warehouse

III. And it is hereby enacted, that applications shall be made for the admission of such goods into such warehouses as aforesaid in the Form A. attached to this Act, and the said Form shall be signed by the importer, owner or consignee, and no goods shall be lodged in any such warehouse until they shall have been assessed for customs duty, according to the rules in force at the place of importation, and the keeper of every such warehouse shall be answerable for the weight or gauge reported by the custom-house officers who shall have assessed the said goods, deducting the wastage hereinafter allowed.

Making application in Form A annexed

Goods first to be assessed for customs duty

Warehouse-keeper to be answerable for weight or gauge of the custom-house, allowing for wastage

IV. And it is hereby enacted, that when goods shall be passed by tale or by package, every omission or misdescription tending to injure the revenue, shall be an offence punishable with fine, not exceeding ten times the greatest amount of duty which could have been lost to the Government in consequence of such omission or misdescription; and if goods shall have been overstated in quantity or value, the error may be rectified prior to the lodging of the said goods in such warehouse as aforesaid, but not after the said goods have been so lodged.

Misdescription of tale goods or packages to injury of revenue punishable by fine of ten times the loss

Error of overstatement may be rectified before, not after entry into warehouse

V. And it is hereby enacted, that no packages of goods shall be admitted into any public or licensed warehouse unless numbered and marked in plain and legible characters, with the initials of the owner, importer or consignee, and with a description of goods contained therein.

Packages to be marked and numbered before reception into warehouse.

VI. And it is hereby enacted, that upon goods warehoused under the provisions of this Act, when the import duty chargeable shall exceed the sum of 100 rupees, the importer or consignee shall be allowed to execute a bond for the amount of duty chargeable in the Form hereunto annexed, marked B., and when such bond shall have been executed, the goods shall be allowed to remain in warehouse for a period not exceeding 15 months, without being liable to the demand of import duty thereon; and the bond to be taken under this section, shall be for twice the amount of import duty assessed on the goods, and shall stipulate for interest to be payable from the date of the demand of any sum due on account of the goods at such rate not exceeding six per cent., as shall be fixed by the Board or other controlling authority of Customs; and the party executing the same, shall be bound thereby for the payment of all duties and charges that shall be claimable on account of the goods, and of any penalties that may be incurred for violation of the custom laws in respect to the same.

When the duty exceeds 100 rupees bond may be executed for it in Form B

And goods may then remain in warehouse for 15 months without demand of duty

Bond to be for twice the duty, and to bear interest from the date of demand

The obligee to be bound for all duties and charges claimable on the goods, and for all penalties.

VII. Provided always, that if any owner, importer or consignee shall omit to pay any duty or penalty that may fall due on account of goods warehoused under this Act, it shall be lawful for the collector of customs, at his option, either to proceed upon the bond, or to cause such portion of the goods warehoused on account of which the duty or penalty may be demanded, as to him may seem fit, to be detained in satisfaction thereof; and if the demand be not discharged within ten days from the date of such detention (due notice thereof being given to the importer, owner or consignee) the goods so detained shall be liable to be sold in satisfaction of the demand; and the proceeds of any sale so made of goods detained shall be written off upon the bond in discharge thereof to the amount received, less the charges of the sale; and if there be any surplus obtained from such sale beyond the amount demanded, such surplus shall be paid over to the owner or consignee of the goods, and no transfer or assignment of the goods shall prevent the collector from proceeding against the goods in the manner above provided, for any demand of customs duties or penalty claimed thereon.

But collector to have power to proceed against the goods or under the bond, at his option.

And to detain goods and sell after 10 days, if the demand be not paid

Proceeds of sale to be written off on the bond;

and surplus paid over to the owner of the goods

No transfer to bar this process.

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After 15 months, the Board may renew the bond for other 15 months.

VIII. And it is hereby provided, that if at the end of 15 months the owner or consignee of goods shall desire to keep them in warehouse for a further period, the Board or other controlling authority of Customs shall be competent to permit him so to keep them for a like further period not exceeding 15 months, on the bonds being renewed by the parties applying for the same.

Goods re-landed from a vessel put back may be warehoused without bond, and re-shipped under the previous settlement of duties

IX. And it is hereby enacted, that when a vessel after having cleared from the port shall return, and the owners, agents or shippers of the cargo of such vessel, or any part thereof, shall desire to land the same for re-export, such goods shall be admitted to warehouse, and being so declared and registered, re-export may be made thereof under the previous settlement for duty, unless the bottom in which the re-export is made, be one on account of which the goods are chargeable with increased duty, in which case the goods shall be chargeable only with the difference, and no bond shall be taken on account of duties for such re-landed goods, unless the goods should be liable to duty on being passed through the custom-house for importation.

Exception

Reserved duty on re-export to be chargeable on removal of goods for shipment, and bonds to be cancelled on payment thereof.

X. And it is hereby enacted, that upon the re-exportation by sea of goods imported and warehoused under bond for the duty, as provided in this Act, within the period during which such goods are by this Act permitted to continue in warehouse, and upon payment of all reserved duty which may be due on account of such goods, and of any charges or penalties that may have been incurred on account of the goods, the bond executed at the time of lodging the goods in warehouse shall be deemed to have been discharged, and be cancelled accordingly.

On removal otherwise than for re-export, or if not cleared in time, full import duty to be levied, with interest and charges

XI. And it is hereby enacted, that if any goods lodged in warehouse in the manner aforesaid, shall be removed or taken from the warehouse otherwise than for exportation by sea, or if the goods be not cleared from the warehouse and exported at the expiration of the time during which such goods are permitted by this Act to remain in warehouse, the collector of customs shall demand the full amount of import duty chargeable thereon, and any charges or penalties that may have been incurred; and if the amount so claimed be not paid within 10 days from the date of the demand, the collector of customs shall be entitled to realize the same either by putting the bond in suit, or at his option, by causing the goods or any sufficient portion thereof to be sold in satisfaction of the demand.

And collector may cause goods to be sold in satisfaction if not paid in 10 days

Removal of goods to be noted in the bond, with particulars.

XII. And it is hereby enacted, that whenever any goods warehoused and bonded as aforesaid shall be removed from any public or licensed warehouse, the collector of customs shall cause such removal to be noted on the back of the bond, and every note so made, shall specify the quantity and description of goods removed, the purposes for which they have been removed, the date of removal, and name of the person removing them, and the number and date of the export pass under which they have been taken away, if removed for exportation by sea, and of the import pass or order, if removed for importation and the amount of duty paid.

And the same particulars to be registered in the register of bonds

XIII. And it is hereby enacted, that a register shall be kept of all bonds entered into for customs duties on goods warehoused as aforesaid, and entry shall be made in the said register of all particulars prescribed in the preceding Section of this Act, as to be noted on the bond, and when the register shall show that the entire quantity of the goods covered by any bond has been withdrawn from warehouse either through importation and the payment of duties, or through re-exportation by sea and payment of the reserve duties upon such re-export, it shall then be competent to, and be the duty of the collector of customs to cancel the bond as discharged in full, and to deliver it so cancelled to the parties who shall have executed, or who shall be authorized to receive the same.

When registry shows all the bonded goods to have been cleared out, bond to be cancelled,

and returned to the obligee

The Custom-house godowns and other Government godowns to be public warehouses.

XIV. And it is hereby enacted, that the warehouses of the custom-house, together with such other buildings as shall be directed by the Governor in Council, or Governor of the Presidency or settlement, shall be public warehouses for the reception of the goods under the provisions of this Act; and every public warehouse shall be under the lock and key of the person whom the Governor or Governor in Council of the Presidency shall appoint to be keeper of such warehouse, and such keeper shall be responsible for all duties connected with the charge of goods, their reception into, and delivery from the warehouses.

These to be under the collector's or warehouse-keeper's key

XV. And

XV. And it is hereby enacted, that the Board or other controlling authority of Customs, shall determine what goods shall be admitted into every public warehouse, in what manner and on what terms; and shall, from time to time, fix rates of hire for every public warehouse, or for the custody of goods therein; and a table of the rates so fixed shall be placed in a conspicuous part of every such warehouse.

Board to determine what goods are to be receivable into public warehouse, and the terms and rates of warehouse rent or hire
Table of rates to be exposed conspicuously.

XVI. And it is hereby enacted, that the owners or consignees of goods lodged in a public or licensed warehouse under this Act, or their agents, shall have access to their goods at any time within the hours of business, in the presence of a custom-house officer, who shall be deputed to accompany them, upon their making application in writing to the collector of customs or to the warehouse-keeper for the purpose.

Owners to have access to their warehoused goods, attended by a custom-house officer during business hours

XVII. And it is hereby enacted, that the expenses of carriage, packing and stowage of goods, on their reception into or removal from a warehouse, shall, if paid by the collector or warehouse-keeper, be chargeable on the goods, and be defrayed by the owners or consignees, in like manner as the customs duties before the goods are removed; and if the goods be lodged in a public warehouse, the owners or consignees shall further pay monthly the rent and warehouse dues on receiving a bill or written demand from the collector or warehouse-keeper for the same, and if the bill for rent or warehouse dues be not discharged within 10 days from the date of presentation, the collector of customs shall have power (any private transfer or assignment of the goods notwithstanding) to cause to be sold by public auction such sufficient portion of the goods as he may select in liquidation of his demand, and the owners and consignees of goods shall not be entitled to claim from the collector of customs or warehouse-keeper, any compensation for any loss that may occur while the goods are passed into or out of the warehouse, or while they remain therein, unless such loss or injury shall be proved to have been occasioned by the wilful act or neglect of the warehouse-keeper or his officers, or of the officers of customs.

Expenses of carriage, packing, &c. are to be borne by the owners

And to be realized as customs duties

Bill for rent to be sent in monthly.
And if not paid in 10 days, goods may be sold in satisfaction.

Collector not answerable for loss by fire or other accident, nor for damage.

XVIII. And it is hereby enacted, that allowance shall be made for the wastage of goods deposited in warehouses according to the following table, as the rate of wastage for one year, and the import duty shall be settled on the quantities registered at the time of importation, wastage at these rates notwithstanding:

Wastage to be allowed as per table

TABLE of WASTAGE to be allowed upon Goods when applied to be removed either from Public or Private Licensed Warehouses

Description of Goods	Rate of Wastage.	Description of Goods	Rate of Wastage	
Alkali - - - -	5 per cent.	Lac, Lake Stick and Saed -	3 per cent.	
Alums - - - -	3 "	Long Pepper and Long Pepper	3 "	
Aromatic Seeds {	Anise - - - -	Root		
	Coriander - -	Oils, Essential and Fragrant	8 "	
	Cumman - - -	Resin or Dammer - - -	7½ "	
	Calzerah - - -	Sago - - - - -	4 "	
	Cardamums - -	Sugar - - - - -	4 "	
Jowain - - - -	3 "	Saltpetre - - - - -	4 "	
Beetlenut - - -	7½ "	Soap - - - - -	3 "	
Brimstone - - -	3 "	Silk - - - - -	5 "	
Camphor - - - -	2 "	Spices {	Cloves - - - - -	8 "
Coffee - - - - -	5 "		Cinnamon - - - - -	2 "
Copperas or Green Vitriol -	5 "		Cassia - - - - -	2 "
Cotton Wool - - -	2 "		Mace - - - - -	3 "
Dry Ginger - - -	10 "		Pepper - - - - -	6 "
Gums and Drugs, not otherwise specified.	3 "	Pimento or Allspice -	2 "	
Iron wrought Bars - - -	3 "	Tobacco, unprepared - -	5 "	
Indigo - - - - -	5 "	Turpentine - - - - -	8 "	
Kutch or Terra Japonica -	3 "	Tutenague - - - - -	2 "	

Wines and Spirits in casks—a deduction for ullage of 10 per cent. shall be allowed at the time of being received into warehouses.

XIX. And it is hereby enacted, that the Board or other controlling authority of Customs, shall have power to license warehouses belonging to private persons

Board may license any private warehouses.

12 EXISTING TARIFFS AND COMMERCIAL REGULATIONS

License to be revocable at pleasure unless otherwise stipulated

for the reception of goods with duty bonded under the rules of this Act, in like manner as prescribed for public warehouses; and every license so granted to a private warehouse shall be liable to be revoked at pleasure by the Board or other controlling authority of Customs, unless otherwise specifically stipulated in the license.

Applications for license for private warehouse to be in Form C, with particulars filled up

XX. And it is hereby enacted, that applications for licenses for private warehouses shall be drawn up in the Form marked C. annexed to this Act, and shall specify the particulars therein stated, and the situation of the warehouses, and their distances respectively from the custom-house in English yards.

Collector or warehouse-keeper to have access to all licensed warehouses for himself and his officers.

XXI. And it is hereby enacted, that the collector of customs or other warehouse-keeper shall have access for himself, or for any officer he may depute for the purpose, to any private warehouse licensed as above; and if the proprietor thereof shall not open the same when required, or shall refuse to admit the collector or warehouse-keeper, or the officer of either upon demand made, at any time within the hours of business at the port, the proprietor of the warehouse shall be liable to a fine not exceeding 1,000 rupees, and further to have the license for the warehouse cancelled and withdrawn, and all bonds executed for duty chargeable upon goods therein deposited, shall become due and be put in suit for the levy of the duty and other demands of customs, after seven days shall have passed from the date when the collector of customs or warehouse-keeper shall give notice of any license being withdrawn.

Proprietors refusing admittance

Subject to penalty of 1,000 rupees, and withdrawal of license.

Bonds for duty to be put in suit seven days after notice of such penalty or of withdrawal of license.

If goods be found deficient beyond the wastage allowance at time of delivery from warehouse,

Owner to forfeit 10 times the duty on the deficiency.

If found excessive, 10 times the duty to be paid on the excess, and goods to be detained till paid

XXII. And it is hereby enacted, that if goods lodged in a private warehouse shall be found to be deficient at the time of delivery therefrom beyond the allowance for wastage prescribed in the Table annexed to Section XVIII. of this Act, the owner or consignee, or other party who may have lodged the goods in the warehouse, shall, unless the deficiency be accounted for to the satisfaction of the collector of customs, forfeit to Government a sum equal to ten times the duty chargeable on the quantity of goods deficient; and if goods be found to exceed the registered quantity, such excess, unless similarly accounted for, shall be charged with ten times the ordinary duty thereon; and when any penalty shall be incurred under this section, the goods shall not be removed until the same is paid.

Collector of customs may issue warrant for breaking packages to search and examine goods
When re-packed to be sealed,

and seal not to be re-broken without sanction of Board.

Except under application from proprietor, then to be re-sealed

XXIII. And it is hereby enacted, that the collector of customs shall have authority at any time to issue his warrant or written order, and to cause any goods or packages lodged in a public or private warehouse to be opened and weighed, or otherwise examined, as he may direct; and after goods shall have been so opened or examined, he shall cause the same to be sealed or marked in such manner as to him may seem fit, and when goods shall have been so sealed or marked (after examination) they shall not be again opened without permission from the Board or other controlling authority of Customs, except when the proprietor or consignee shall apply to have them opened, and in every such case, the packages shall be again sealed or marked as before

Goods to be stamped on reception into or delivery from warehouse.

XXIV. And it is hereby enacted, that when goods shall be received into warehouse, or shall be removed therefrom, the packages shall be stamped with a conspicuous seal or stamp, containing the words—

Warehoused and Duty Bonded.

or

Delivered for Exportation.

or

Removed for Importation.

The stamp not to be removed or effaced without sanction of collector,

under penalty of 500 rupees on conviction before a magistrate

accordingly as the goods may be received or removed for one or other purpose, and any person who shall remove or efface a stamp or seal affixed by an officer of customs, or who shall change the outer cover of any package so marked, or change the contents thereof while goods are in warehouse, without giving notice and obtaining permission of the collector of customs, shall for every such offence forfeit the sum of 500 rupees upon conviction before a magistrate or justice of peace

peace of the place ; provided, however, that the owners and consignees of goods shall be at liberty to take out samples of their goods of such limited quantity as shall be deemed by the collector of customs reasonable and proper.

But owners may be allowed by the collector to take samples.

XXV. And it is hereby enacted, that no goods shall be removed from any warehouse, except under application to the collector of customs for the goods to be passed for export or for importation, in like manner as for other goods passed through the custom-house, or for removal to another warehouse, as prescribed in Section XXVIII. of this Act.

Goods not to be removed from warehouse without being passed through the custom-house

XXVI. And it is hereby enacted, that if any owner or consignee of goods shall in any way break a package for removal of any part of the goods, the entire duty shall be levied for all the goods contained therein.

If a package be broken, duty to be levied on all the goods contained therein

XXVII. And it is hereby enacted, that applications to remove goods from warehouse shall be made in the Form marked D. hereunto annexed, and 24 hours' notice shall ordinarily be given to the collector of customs or warehouse-keeper of the intention to remove goods.

Applications to remove goods to be made in Form D. and 24 hours' notice to be given of removal

XXVIII. And it is hereby enacted, that owners or consignees of goods warehoused and bonded for duty under this Act, may remove the same from one public or licensed warehouse to any other, and when they shall desire so to remove goods, they shall make application in the Form marked E. hereunto annexed, furnishing the information specified, and filling up the columns left blank in the said form, with all the particulars therein contained.

Goods may be removed from one warehouse to another, application being made in Form E.

XXIX. And it is hereby enacted, that if goods warehoused and bonded for duty shall be destroyed by fire or other accident, no duty shall be chargeable thereon, provided that if they be destroyed in a private warehouse, notice thereof be given to the collector of customs or warehouse-keeper, within 48 hours of the discovery of the accident, and if goods when lodged in warehouse shall receive damage, they shall be assessed for duty according to their actual value and bond for the same, executed for the unexpired term of warehousing.

No duty to be levied on goods destroyed by fire or other accident, and if damaged, duty to be levied on the damaged value

XXX. And it is hereby enacted, that whenever any person shall be charged with having committed any act or neglect for which he is liable to penalty under this Act, the collector of customs at the port shall be competent to investigate the case, and to adjudge the penalty or to dismiss the complaint, as to him may seem fit; provided, however, that if the collector shall adjudge any penalty to be incurred, such judgment shall not be conclusive until the case shall have been reported to the Board or other superior authority of Customs, and the award shall have been confirmed by that authority; and it is further enacted, that the Board or other controlling authority of Customs shall have the power of mitigating any penalty that may be incurred on account of warehoused goods, to the extent of reducing the same to a levy of double duty.

Penalties under this Act to be adjudged by the collector of customs

Subject to confirmation by the Board or other superior authority of Customs

A.

FORM of APPLICATION for the reception of Goods Imported by Sea in Warehouses.

To the Collector of Sea Customs at Calcutta.

Sir,

Please to order the reception into the Government (or private warehouse of Mr A. B., situate at _____, and licensed by No. _____, dated _____), of the undermentioned goods, being of the growth or manufacture of (place to be stated), and arrived from (port or place to be mentioned) on the (British or other) ship _____, whereof _____ is commander, the duty upon which goods has been adjusted in the manner hereafter specified.

Marks and Number of Packages.	Description of Packages and Goods.	Contents of Goods.	Rate of Value of the Goods	Amount Value of the Goods as ascertained and entered on the landing of the same	Rate of Duty both of Customs and Town Duty	Date and Number of Importation	Specification of the particulars of Bonds if the Duty upon the Goods has been Bonded.
Total - -							

(Date)

(signed)

(By the owner, agent or consignee of the goods)

B.

FORM of BOND for Import Duty.

KNOW all men by these presents, that we now of Calcutta,
 at Fort William, in the province of Bengal, in the East Indies, and
 of the same place, are jointly and severally held, and firmly bound unto the East India
 Company in the sum of rupees to be paid to the said East India Company,
 or their certain attorney, agent, successors or assigns, for which payment well and truly to
 be made, we jointly and severally bind ourselves and each of us, and our respective heirs,
 executors, administrators and representatives, by these presents; sealed with our respective
 seals, dated the day of in the year of Christ
and the said for themselves, and each of them and their
 respective heirs and representatives, covenant and agree, that in case of dispute touching the
 matter of this obligation, or the condition thereof, the same may be heard and determined in
 the Supreme Court of Judicature at

Whereas the above bounden hath (or have) applied to the collector of sea
 customs of the said East India Company at for, and have obtained per
 mission to, lodge in a certain public (or licensed) godown, for a period of 15 months, subject
 to the rules or regulations of Government, the following goods, that is to say (here a large
 blank should be left for describing the goods), being of the growth or manufacture of
and imported by sea from on board the ship
and entered in the custom-house books, as No. of the register of goods
 imported by sea.

Now the condition of this obligation is such, that if the above bounden
 (the principal) his (or their, if more than one) heirs, executors, administrators, representatives or
 assigns, shall in all things well and truly observe and keep all and singular the rules pre-
 scribed in Act No. XXV. of 1836, to be observed and kept by the owners, importers or
 consignees of goods bonded and warehoused, and by the persons obtaining permission to
 bond and warehouse goods under the provisions thereof: and if the said (the
 principal) his (or their, if more than one) heirs, executors, administrators,
 representatives or assigns, do and shall well and truly pay, or cause to be paid to the collector
 of customs for the time being for the port, all such dues, whether of customs or of lawful
 charges, as shall be due or demandable upon the said goods, or on account of penalties
 incurred in respect to them at or before the expiration of 15 months from the date of these
 presents, or before or at the expiration of such further time as the Board of Customs shall
 allow in that behalf, together with interest thereon at the rate of per cent. per
 annum from the date of demand thereof being made by the said collector of customs in
 writing: and further, if the said goods after being so warehoused, or any part thereof, shall
 not within the term so fixed, or to be enlarged, be removed from the said public (or licensed)
 godowns, or in case the said goods or any part thereof shall be removed from the said
 public (or licensed) warehouse at any time within the said term, either for importation or
 for exportation by sea, then, and in such case, if the full amount of all such duties, charges
 and penalties as may be payable or demandable as aforesaid, shall have been first paid and
 satisfied on the whole quantity of the said goods, then this obligation to be void and of no
 effect, otherwise, and on breach or failure in the performance of the said several conditions,
 or any of them, the same to be in full force and virtue. Sealed and delivered, &c.

C.

FORM of APPLICATION to obtain License for Private Warehouses.

To the Collector of Customs at Calcutta.

Sir,

PLEASE to submit to the Board of Customs (or other controlling authority of customs)
 my request to be furnished with a license under Act No. XXV. of 1836, for a warehouse
 situate at and about the distance of yards from the custom-house,
 the dimensions and other particulars of the godown are stated below, and the same is
 intended for the reception of all goods as a general storehouse (or as the case may be),
 the period of license not to exceed (mention the time for which period).

Particulars of Godown.

Length, feet, inches -	{	Dry, airy, well flued and puckah built, can contain with perfect safety and con- venience, about	tons of goods.
Breadth, ditto ditto -			
Height, ditto ditto -			

The same being my own property (or the property of from whom I have
 engaged the same on a lease of).

(signed) (By the Applicant)

D.

FORM OF APPLICATION for removal of Goods from Warehouses.

To the Collector of Government Customs.

Sir,

PLEASE to order to be passed from the (Government or private) warehouse of Messrs. A. and Co., situate at _____ (and licensed under Act No. XXV. of 1836, by No. _____ dated _____) the undermentioned goods intended for exportation by sea on the British ship _____ captain _____ bound to _____ or for internal consumption; or to be consigned to (any station in the interior, as the case may be) the same having been entered in the books of your office for the said warehouse, under No. _____ dated by _____ (me or by Messrs. B. and Co., whose certificate of the transfer of the goods is herewith annexed.)

Marks and numbers of cases. B. & Co. (Name of the goods.) No 1 to 4. <input type="checkbox"/> × <input checked="" type="checkbox"/> Sealed. "Warehoused for exportation."	Four cases of (name of goods). 1 case, box, bale or parcel, containing (here insert the quantity in each case). 1 ditto. 1 ditto. 1 ditto. Four (cases, boxes, bales or parcels) containing (total contents to be here stated).
---	--

Custom-house value of the above _____ rupees, _____ and please to receive the amount of duty bonded for the said goods, by bond No. _____ dated _____, allowing drawback for exportation on British bottom (or as the case may be).

(signed) _____ (Either by the owner, agent or consignee of the goods.)

E.

FORM OF APPLICATION for the removal of Goods from one Warehouse to another, during the period for which the Indulgence of Warehousing may have been obtained.

To the Collector of Government Customs at Calcutta.

Sir,

PLEASE to permit the removal of the undermentioned goods from the (Government or other licensed) warehouse, to (the warehouse into which the removal is intended to be made, must here be distinctly described) for the unexpired period of warehousing due on the goods, the same having been originally entered by virtue of Act No. XXV. of 1836, in the books, of the warehouse department under No. _____, dated _____, for 15 months (or such other period as may have been allowed, to be here stated) under all the obligations and conditions at present attached to the goods.

Marks and Numbers of Packages.	Description of Packages and of Goods.	Contents of Packages	Rate of Value of Goods.	Amount of Value of Goods as entered in Custom-house Books.	Rate of Duty chargeable or paid upon the Goods.	Name of the Persons by whom Goods first passed into Warehouses

Note.—If the goods to be removed shall have been sold or transferred by the original proprietor or agent, a certificate of such sale or transfer shall accompany the application.

(signed) _____ (By the owner, agent or consignee of the goods.)

10 EXISTING TARIFFS AND COMMERCIAL REGULATIONS

ACT No. XXXII. of 1836.

Passed by the Right Honourable the Governor-General of India in Council, on the 28th November 1836.

I. It is hereby enacted, that if any person after the 1st day of December 1836, lands or attempts to land in any part of the territories subject to the Government of the Presidency of Fort William in Bengal, any sugar which is not the growth of a British possession into which foreign sugar cannot be legally imported, such sugar shall be seized and confiscated by the collector of customs, or by any other officer thereunto authorized by the Governor of the said Presidency, unless the district in which such sugar is landed, or in which an attempt has been made to land such sugar, be a district in which the Governor-general of India in Council has authorized the importation of such sugar.

II. And it is hereby enacted, that if any owner of sugar the produce of the said territories, or duly authorized agent of such owner, desires to obtain a certificate of origin from the collector, or assistant collector of the land or custom revenue of any district within the said territories, or from any other officer appointed by the Governor-general of India in Council to give such certificates, such owner or agent shall, in the presence of the officer from whom he desires to obtain such certificate, make and subscribe a declaration in the form contained in the Schedule hereunto annexed marked A.

III. And it is hereby enacted, that if the district be one into which the Governor-general of India in Council has not by any order authorized the importation of foreign sugar, or of sugar the growth of any British possession into which foreign sugar can be legally imported, the officer before whom such a declaration as is aforesaid shall have been made, shall grant under his hand and seal to the declarant a certificate in the form contained in the Schedule hereunto annexed marked B.

IV. And it is hereby enacted, that every person who intends to ship sugar from any place within the said territories for any part of the United Kingdom, shall be entitled to produce to the collector of customs at that place, or to any other officer who may have been appointed by the Governor-general of India in Council to act on such occasions in place of the collector of customs, a certificate such as is above described, and also in the presence of the officer to whom he has so produced such certificate, to make and subscribe a declaration in the form contained in the Schedule hereunto annexed marked C.

V. And it is hereby enacted, that the officer to whom such a certificate shall have been so produced, and before whom a declaration in the last-mentioned form shall have been so made and subscribed, shall grant to the person who has made the last-mentioned declaration a certificate in the form contained in the Schedule hereunto annexed marked D.

VI. And it is hereby enacted, that any person who shall in making any declaration under the authority of this Act knowingly affirm an untruth, shall on conviction thereof before such Court as would be competent to try such person for perjury, be punished by fine to an amount not exceeding 5,000 rupees, and imprisonment for a term not exceeding two years.

SCHEDULE A.

I, A. B., solemnly declare that all the sugar hereinunder described is to the best of my knowledge and belief the produce of the district of

Description of the Sugar to which the Declaration relates.

Quantity	Quality	Number and Denomination of Packages.

The day of _____ 18____ (signed) A. B.

SCHEDULE

SCHEDULE B.

I, C. D., collector of land revenue (or collector of custom revenue, or being an officer appointed by the Governor-general of India in Council to act in this behalf), for the district of _____, do hereby, in conformity with the provisions of Act No. XXXII. of 1836, grant this certificate under my hand and seal, that the sugar hereunder described is of the produce of the district of _____, and that the importation of foreign sugar and of sugar the growth of any British Possessions into which foreign sugar can be legally imported is prohibited in the said district of _____.

Description of the Sugar to which this Certificate relates.

Quantity	Quality	Number and Denomination of the Packages.	Name of the Declarant on whose Declaration the Certificate is given.

(L. S.)

(signed) C. D.

SCHEDULE C.

I, E. F., shipper of the sugar hereunder described, solemnly declare that all the sugar hereunder described, is to the best of my knowledge and belief the same sugar to which the certificate now produced by me relates.

Description of the Sugar to which the Declaration relates.

Quantity.	Quality.	Number and Denomination of Packages	Name of Ship in which the Sugar is Shipped or to be Shipped	Name of the Master of the Ship

(signed) E. F.

SCHEDULE D.

I, G. H., collector of customs (or being an officer appointed by the Governor-general of India in Council to act in this behalf), for the port of _____, certify under my hand and seal, that there has been produced to me by E. F., the shipper of the sugar hereunder described, a certificate under the hand and seal of C. D., collector of land revenue (or collector of custom revenue, or being an officer appointed by the Governor-general of India in Council to act in this behalf), for the district of _____, in the territories subject to the government of the Presidency of Fort William in Bengal, which certificate certifies that the said sugar is of the produce of the said district, and that the importation of foreign sugar or sugar the growth of any British possession into which foreign sugar can be legally imported, is prohibited in the said district.

Description of the Sugar to which this Certificate relates.

Quantity	Quality	Number and Denomination of Packages.	Name of the Ship	Name of the Master of the Ship.

(L. S.)

(signed) G. H.

18 EXISTING TARIFFS AND COMMERCIAL REGULATIONS

ACT No. XIV. of 1837.

Passed by the Right Honourable the Governor-General of India in Council,
on the 12th June 1837.

It is hereby enacted, that whenever any foreign state in Asia or Africa shall permit within the dominions of such state, the importation or exportation of goods in British vessels on the same terms on which it permits the importation or exportation of goods in vessels belonging to the subjects of such foreign state, it shall be lawful for the Governor-general of India in Council, by an Order in Council, to direct that goods may be imported into the territories of the East India Company, or exported thence in vessels belonging to the subjects of such foreign state, on the same terms on which such goods are imported into the said territories, or exported thence on British vessels.

ACT No. XVI. of 1837.

Passed by the Right Honourable the Governor-General of India in Council,
on the 3d July 1837.

I. It is hereby enacted, that from the 15th day of July 1837, Regulation XV. 1817, of the Bengal Code, shall be repealed.

II. And it is hereby enacted, that when the customs duties fixed to be levied upon goods exported by sea from any port of Bengal or Orissa shall be ad valorem, the value of such goods shall be declared by the exporter in the manner prescribed by Regulation VI. 1833 of the Bengal Code, for goods imported into Calcutta by sea, and the provisions of that Regulation for cases of disputed value (excepting Section IV. thereof, which prescribes the levy of duty when the goods are taken for Government) shall apply to goods intended to be exported by sea in like manner as for imported goods, and the value so to be declared by the exporter, shall include the packages or materials in which the goods may be contained.

III. And it is hereby enacted, that it shall be lawful for the Governor of the Presidency of Fort William in Bengal, from time to time, by notice in the official Gazette, to fix a value for any article liable to ad valorem duty, and that the value so fixed by the Governor of the said Presidency shall, till altered by a similar notice, be taken to be the value of such article for the purpose of levying duty on the same.

IV. And it is hereby enacted, that every master of a vessel, who shall remove from such vessel or put on board thereof any goods, or cause or suffer any goods to be removed thence or put on board thereof between sunset and sunrise, or on any day when the custom-house is closed for business, without leave in writing obtained from the collector of customs, shall be punished with a fine not exceeding 500 rupees.

V. And it is hereby enacted, that when upon application from the commander of any vessel the custom-house officer shall be removed from on board thereof under the provisions to that effect contained in Section XVI. of the Act XIV. of 1836, if the commander of such vessel shall, before a custom-house officer have again been placed in such vessel, put on board of such vessel, or cause or suffer to be put on board of such vessel any goods whatever, such commander shall be punished with a fine not exceeding 1,000 rupees, and the goods shall be liable to be re-landed for examination at the expense of the shipper or shippers, upon requisition to that effect from the collector of customs.

VI. And it is hereby enacted, that the commander of every vessel, who is bound to receive a custom-house officer on board of such vessel, shall also be bound to receive on board one servant of such officer, and to provide such officer and such servant with suitable shelter and accommodation, and likewise with a due allowance of fresh water, and with the means of cooking on board, and if any commander of a vessel shall wilfully disobey the directions contained in this section, he shall be punished with fine not exceeding 500 rupees.

VII. And

VII. And it is hereby enacted, that no cargo-boat laden with goods intended for exportation by sea, shall make fast to, or lie alongside of any vessel, unless there shall be on board the boat, or have been received by the custom-house officer on board of the vessel, a custom-house permit or order for the shipment of the goods; and the goods on board of any boat that may so lie alongside, or be made fast to a vessel, if such goods be not covered by a custom-house pass accompanying them, or previously received by the customs officer on board the said vessel, shall be liable to confiscation.

VIII. And it is hereby enacted, that when goods shall be sent from on board ship for the purpose of being landed and passed for importation, there shall be sent with each boat-load or other separate despatch, a boat-note specifying the number of packages and the marks and numbers or other description thereof, and such boat-note shall be signed by an officer of the vessel, and likewise by the customs officer that may be on board; and if any imported goods be found in a boat proceeding to land without a boat-note, or if being accompanied by a boat-note, they be found out of the proper track between the ship and the custom-house wharf or other wharf or ghaut at which they have been permitted to be landed, the boat containing such goods may be detained by any inspector, or by any other officer of the preventive service of the custom-house, duly authorized by the collector of customs, and unless the cause of deviation be explained to the satisfaction of the officers of customs, the goods shall be liable to confiscation.

IX. And it is hereby enacted, that when goods shall be brought to be passed through the custom-house, either for importation or exportation by sea, if the packages in which the same may be contained shall be found not to correspond with the description of them given in the application for passing them through the custom-house, or if the contents thereof be found not to have been correctly described in regard to sort, quality or quantity, or if any goods not stated in the application be found concealed in or mixed up with the specified articles, all such packages, with the whole of the goods contained therein, shall be liable to confiscation.

X. And it is hereby enacted, that if any person, after goods have been landed and before they have been passed through the custom-house, removes or attempts to remove them with the intention of defrauding the revenue, the goods shall be liable to confiscation.

XI. And it is hereby enacted, in modification of the article of Schedule B. of Act No. XIV. of 1836, which provides that when sugar or rum shall be exported on British bottoms to any British possession no duty shall be levied thereupon, and if on foreign bottoms, a duty of three per cent. only shall be levied, that the said exemption from duty and advantage of rate shall not hold or apply to the case of sugar exported to any British possession or settlement on the continent of India (including the port of Bombay), but duties shall be levied on such exports in the same manner as upon sugar and rum exported to other places, and the amount of duties so levied shall be credited in the adjustment of any import duty to which the sugar so exported from Bengal may be subject at any place of import within the possessions of the East India Company.

XII. And it is hereby enacted, in modification of Section XVIII. of the Act XIV. of 1836, that when goods shall be shipped after port clearance, if the same be imported goods entitled to drawback, such drawback shall be forfeited, but no separate duty shall be levied thereon.

XIII. And it is hereby enacted, in modification of Section XV. of Act XIV. of 1836, that if goods landed at the custom-house be not claimed and cleared from the custom-house within three months from the date of entry of the ship in which such goods were imported, it shall be competent to the collector to sell the goods on account of the duties, freight and other charges incurred and due thereon.

XIV. And it is hereby enacted, that no payment shall be made of drawback upon any goods exported from any port of Bengal or Orissa, unless the export be made within two years from the date of the import in the custom-house registers, nor unless the claim to receive such drawback be made at the time of exportation, nor unless the amount due thereupon be demanded within one year from the date of entry for shipment in the custom-house registers,

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XV. And it is hereby enacted, that drawback shall not be allowed upon goods shipped in dhonies and native craft not navigated by pilots and not having custom-house officers on board.

XVI. And it is hereby enacted, in modification of Section LI. Regulation IX. of 1810, that the Board of Customs, Salt and Opium shall have power to fix, and from time to time to alter the rates of wharfage and godown rent charges, and to determine the time for which goods shall be allowed to remain on the wharfs or in the godowns of the custom-house, free of charge, while the goods are being passed for import or export by sea.

XVII. And it is hereby enacted, that it shall be lawful for the collector of customs, whenever he shall see fit, to require that goods brought by sea and stowed in bulk shall be weighed on board ship before being sent to land, and to levy duty according to the result of such weighing.

XVIII. And it is hereby enacted, that whoever shall intentionally offer any obstruction to the weighing directed by the preceding Section, shall be punished with a fine not exceeding 500 rupees.

ACT No. I. of 1838.

Passed by the Honourable the President of the Council of India in Council, on the 3d January 1838.

I. It is hereby enacted, that from the 1st February 1838, all Regulations of the Bombay Code passed before the year 1827 and now in force, with the exception of Sections I., II. and III., Regulation VI. 1799, and of clause 2, Section VII., Regulation IX. 1800, and of Sections XIV., XVII., XX., XXI. and XXV., Regulation I. of 1805, and of the whole of Regulations II. 1810, and VI. 1814, shall be repealed.

II. And it is hereby enacted, that Chapters I., II., IV., VI., VIII. and IX. of Regulation XX. 1827 of the said Code, together with the Appendices A, B, C, E, H, I, J, K, of that Regulation, also Regulation II. 1831, Regulation XIII. 1831, Regulation I. 1832, Regulation IV. 1833, and Regulation IV. 1834, of the said Code, and all such parts of any Regulations of the said Code as prescribe the levy of transit or inland customs duties, or as require the payment of any fee whatever on account of any vessel which may enter any port in the territories subject to the Bombay Presidency, and likewise the provisions of any kind contained in those or in any other Regulations, for fixing the amount of duty to be levied on goods imported or exported by sea at any place within the limits of the Bombay Presidency, or the drawback payable on the same, shall be repealed; and it is further enacted, that Act No. II. of 1836 shall likewise be repealed, except in so far as it repeals any Regulation of the Bombay Code.

III. Provided always, that nothing contained in the two preceding Sections of this Act shall be construed to prevent the levy of any town duty, or of any municipal tax, or of any toll on any bridge, road, canal or causeway, for repair and maintenance of the same, or of any fee for the erection and maintenance of lighthouses.

IV. And it is hereby enacted, that duties of customs shall be levied on goods imported by sea into any place in the territories subordinate to the government of the Presidency of Bombay, after the said 1st February next, according to the rates specified in Schedule A. annexed to this Act, and with the exceptions specified therein, and the said Schedule, with the notes attached thereto, shall be taken to be a part of this Act.

V. And it is hereby further enacted, that duties of customs shall be levied upon country goods exported by sea from any ports of the Bombay Presidency after the said 1st February next, according to the rates specified in Schedule B. annexed to this Act, with the exceptions therein specified, and the said Schedule, with the notes attached thereto, shall also be taken to be a part of this Act.

VI. Provided however, that the ships of any European nation having firman privileges in the port of Surat, shall not be subject to further duties of import or export than may be prescribed by their firmans respectively, anything in the Schedules or in this Act notwithstanding.

VII. And

VII. And it is hereby enacted, that duties of customs shall be levied on goods passing by land into or out of foreign European settlements, situated on the line of coast within the limits of the Presidency of Bombay, at the rates prescribed in the Schedules of this Act for goods imported or exported on foreign bottoms at any British port in that Presidency.

VIII. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Bombay to declare, by notice to be published in the Gazette of that Presidency, that the territory of any native chief, not subject to the jurisdiction of the courts and civil authorities of that Presidency, shall be deemed to be foreign territory, and to declare goods passing into or out of such territory liable either to the duty fixed for British or for foreign bottoms, as the said Governor in Council may think fit.

IX. And it is hereby enacted, that for the levy of duties of customs as above provided on goods exported by land to, or imported by land from such foreign territories, customs' chokees may be established at such places as may be determined by the said Governor in Council, and every officer at every such chokee shall have power to detain goods passing into or out of any such foreign territory, and to examine and ascertain the quantities and kinds thereof; and such goods shall not be allowed to pass across the frontier line out of or into the territory of the East India Company, until the owner or person in charge thereof shall produce and deliver a certificate showing that the customs duty leviable thereupon has been paid in full.

X. And it is hereby enacted, that it shall be lawful for the said Governor in Council to appoint such officers as he may think fit, to receive money on account of customs duties, and grant certificates of the payment thereof, and that such a certificate being delivered to any chokee officer shall entitle goods to cross the frontier into or out of the East India Company's territories, provided that the goods correspond in description with the specification thereof contained in such certificate, and that the certificate show the entire amount of duty leviable on those goods to have been duly paid; and if upon examination the goods brought to any chokee be found not to correspond with the specification entered in the certificate presented with the same, the difference shall be noted on the face of the certificate, and if the payment of duty certified therein shall not cover the entire amount of duty leviable on the goods as ascertained at such examination, the goods shall be detained until a further certificate for the difference shall be produced.

XI. And it is hereby enacted, that the said Governor in Council shall give public notice in the official Gazette of the Presidency of Bombay, of the appointment of every officer appointed to receive customs duties on goods crossing the land frontier of the said foreign territories, and the officers so appointed shall on receipt of money tendered as customs duty, be bound to give to any merchant or other person applying for the same, a certificate of payment, and to enter therein the specification of goods, with the values and description thereof, according to the statement furnished by the person so applying, provided only that the proper duty leviable thereupon, according to the descriptions and values stated, be covered by the payment made.

XII. And it is hereby enacted, that no certificate shall be received at any chokee that shall bear date more than 30 days before the date when the goods arrive at the chokee; provided, however, that any person who has taken out a certificate from any authorized receiver of customs duties, shall at any time within the said period of 30 days, on satisfying such receiver that such certificate has not been used, and on delivering up the original, be entitled to receive a renewed certificate, with a fresh date, without further payment of duty.

XIII. And it is hereby enacted, that it shall be lawful for the said Governor in Council to prescribe, by public notice in the official Gazette of the Presidency of Bombay, by what routes goods shall be allowed to pass into or out of any such foreign territory, as is described in Sections VII. and VIII. of this Act; and after such notice shall be given, goods which may be brought to any chokee established on other routes or passes than those so prescribed, shall, if provided with a certificate, be sent back, and if not provided with a certificate shall be detained, and shall be liable to confiscation by the collector of customs, unless the person in

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charge thereof shall be able to satisfy the said collector that his carrying them by that route was from ignorance or accident.

XIV. And it is hereby enacted, that goods which may be passed, or which an attempt may be made to pass across any frontier guarded by chokees between sunset and sunrise, or in a clandestine manner, shall be seized and confiscated.

XV. And it is hereby enacted, that any chokee officer who shall permit goods to pass across the frontier when not covered by a sufficient certificate, or who shall permit goods to pass by any prohibited route, shall be liable on conviction before the collector of customs, to imprisonment for a term not exceeding six months, and to a fine not exceeding 500 rupees, commutable if not paid to imprisonment for a further period of six months.

XVI. And it is hereby enacted, that if any chokee officer shall needlessly and vexatiously injure goods under the pretence of examination, or in the course of his examination, or who shall wrongfully detain goods for which there shall be produced a sufficient certificate, such officer shall on conviction before the collector of customs, or before any magistrate or joint magistrate, be liable to imprisonment for a term not exceeding six months, and to fine not exceeding 500 rupees, commutable if not paid to imprisonment for a further period of six months.

XVII. And it is hereby enacted, that all goods imported by sea into any port of the Presidency of Bombay from any foreign European settlement in India, or from any native state, the inland trade of which has been declared by the Governor in Council of the Presidency of Bombay, under Section VIII. of this Regulation, to be subject to the duties levied on foreign bottoms, shall be liable to the same duties as are imposed by Schedule A. on imports on foreign bottoms.

XVIII. And it is hereby enacted, that no goods whatsoever entered in either of the Schedules of this Act as liable to duty shall be exempted from the payment of such duty, or of any part thereof, except under special order from the Governor in Council of the Presidency of Bombay: Provided always, that it shall and may be lawful for the collector of customs, or other officer in charge of a custom-house, to pass free of duty any baggage in actual use at his discretion; and if any person shall apply to have goods passed as such baggage, the collector, acting under the orders of the Government, shall determine whether they be baggage in actual use, or goods subject to duty under the provisions of this Act.

XIX. Provided always, that when goods are imported at any port of the Bombay Presidency from any other port in that Presidency, under certificate that the export duty specified in Schedule B. has been duly paid thereon, or that there has been a re-export, and that the import duty specified in Schedule A. has been duly paid, the said goods shall be admitted to free entry.

XX. Provided also, that when duties of customs shall have been paid on any goods at any port in any part of the territories of the East India Company not subject to the Presidency of Bombay, and when such goods shall subsequently be imported at any port of the Presidency of Bombay, credit shall be given at such last-mentioned port for the sum that may be proved by the production of due certificates to have been so paid.

XXI. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Bombay, from time to time, by notice in the official Gazette of that Presidency, to fix a value for any article or number of articles liable to ad valorem duty, and the value so fixed for such articles shall, till altered by a similar notice, be taken to be the value of such articles for the purpose of levying duty on the same.

XXII. And it is hereby enacted, that when goods liable to duty, for which a value has not been fixed by such a notice as is above directed, or for which a fixed duty has not been declared by the Schedules annexed to this Act, are brought to any custom-house in the Presidency of Bombay for the purpose of being passed for importation or exportation, the duty leviable on such goods shall be levied ad valorem, that is to say, according to the market value of such goods at the place and time of importation or exportation, as the case may be.

XXIII. And

XXIII. And it is hereby enacted, that the market value for assessment of duties on ad valorem goods shall be declared by the owner, consignee or exporter, or by the agent or factor for any of these respectively, upon the face of the application to be given in by him in writing for the passing of the goods through the custom-house; and the value so declared shall include the packages or materials in which the goods are contained, and the application shall truly set forth the name of the ship in which the goods have been imported or are to be exported, the name of the master of the said ship, the colours under which the said ship sails, the number, description, marks and contents of the packages, and the country in which the goods were produced.

XXIV. And it is hereby enacted, that every such declaration, when duly signed, shall be submitted to the officer of customs appointed to appraise goods at the custom-house, and if it shall appear to him that the same is correct, he shall countersign it as admitted; but if any part or the whole of the goods shall seem to him to be undervalued in such declaration, he shall report the same to the collector of customs, who shall have power to take the goods or any part thereof as purchased for the Government at the price so declared; and whenever the collector of customs shall so take goods for the Government, payment thereof shall be made to the consignee or importer, if the goods be imported goods, within 15 days from the date of the declaration, the amount of import duty leviable thereon being first deducted, and if the goods be intended for exportation, the entire value as declared shall be paid without deduction on account of customs duty.

XXV. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Bombay to declare, by public notice in the official Gazette of that Presidency, what places within the same shall be ports for the landing and shipment of merchandize; and any goods that may be landed, or which an attempt may be made to land, at any other port than such as shall be so declared, shall be seized and confiscated.

XXVI. And it is hereby enacted, that when any vessel shall arrive in any port of the Presidency of Bombay, the master shall deliver a true manifest of the cargo on board, made out according to the form annexed to this Act and marked C., to the first person duly empowered to receive such manifest that may come on board, and if no such person shall have come on board before the anchor of the said vessel is dropped, then the manifest shall be forwarded to land on board of the first boat that leaves the vessel after dropping anchor, and if the port be up a river or at a distance from the land first made, then it shall be lawful for the said Governor in Council, by an order published in the official Gazette of the Presidency, to fix a place in any such river or port beyond which place it shall not be lawful for any inward-bound vessel, except such country craft as are described in Sections LI. and LII. of this Act, to pass until the master shall have forwarded in such manner as may be ordered by the said Governor in Council such a manifest as is required by this Act.

XXVII. And it is hereby enacted, that if the manifest so delivered by the master shall not contain a full and true specification of all the goods imported in the vessel, the said master shall be liable to a fine of 1,000 rupees, and any goods or packages that may be found on board in excess of the manifest so delivered, or differing in quality or kind, or in marks and numbers, from the specification contained therein, shall be liable to be seized by any customs officer and confiscated, or to be charged with such increased duties as may be determined by the collector of customs under the orders of Government.

XXVIII. And it is hereby enacted, that if any inward-bound vessel shall remain outside or below the place that may be fixed by the said Governor in Council for the first delivery of manifests, the master shall deliver a manifest as herein-before prescribed to the first person duly empowered to receive such manifest that may come on board; and if any vessel entering a port for which there is a custom-house established, shall lie at anchor therein for the space of 24 hours, the master whereof shall refuse to deliver the said manifest in the manner above prescribed, he shall for such refusal be liable to fine not exceeding 1,000 rupees, and no entry or port clearance shall be given for such vessel until the fine is paid.

XXIX. And it is hereby enacted, that no vessel shall be allowed to break bulk until a manifest as required by this Act, and another copy thereof to be presented at the time of applying for entry inwards, if so required by the collector of customs, shall have been received by the said collector, nor until order shall have been given by the said collector for the discharge of the cargo; and that the said collector may further refuse to give such order if he shall see fit, until any port clearances, cocketts or other papers known to be granted at the places from which the vessel is stated to have come, shall likewise be delivered to him.

XXX. And it is hereby enacted, that no goods shall be allowed to leave any vessel, or to be put on board thereof until entry of the vessel shall have been duly made in the custom-house of the port, and until order shall have been given for discharge of the cargo thereof as above provided, and it shall be the duty of every customs officer to seize as contraband any goods which have been removed, or put on board of any vessel in contravention of the above provision, or which any attempt shall have been made to remove from, or to put on board of any vessel in contravention of the above provision; and after entry of the vessel at the custom-house in due form, such part of the cargo as may not be declared for re-exportation in the same vessel shall be sent to land, and export cargo shall be laden on board according to the forms and rules that may be prescribed for the port by this Act, or by order of the Governor in Council of the Presidency of Bombay, and if an attempt be made to land or put on board goods or merchandize in contravention of the forms and rules so prescribed, the goods shall be liable to seizure and confiscation.

XXXI. And it is hereby enacted, that if goods entered in the manifest of a vessel shall not be found on board that vessel, or if the quantity found be short and the deficiency be not duly accounted for, or if goods sent out of the vessel be not landed at the custom-house, or at such other place as the collector of customs shall have prescribed, the master shall be liable to a penalty not exceeding 500 rupees for every missing or deficient package of unknown value, and for twice the amount of duty chargeable on the goods deficient and unaccounted for, if the duty can be ascertained; provided, however, that nothing herein contained shall be construed to prevent the collector of customs from permitting at his discretion the master of any vessel to amend obvious errors, or to supply omissions from accident or inadvertence, by furnishing an amended or supplemental manifest.

XXXII. And it is hereby enacted, that there shall in every port of the Bombay Presidency be one or more places appointed for the landing and shipment of goods, and goods shall not be landed at any other place without the special order in writing of the collector of customs for the port, and if any goods be landed, or an attempt be made to land any goods at any other than the said authorized places without such order, they shall be seized and confiscated.

XXXIII. And it is hereby enacted, that if the Governor in Council shall see fit, for the security of customs at any port, to maintain special establishments of boats for the landing and shipping of merchandize, or to license and register the cargo-boats plying in any ports, then after due notification thereof, it shall not be lawful for any person to convey goods to or from any vessel in such port, otherwise than in the boats so authorized and prescribed, except under special permit from the collector of customs at the port, and any goods that may be found on board of other boats than those so authorized for the port, shall be liable to be seized by any officer of customs, and shall be liable to confiscation.

XXXIV. And it is hereby enacted, that when the Governor in Council of the Presidency of Bombay shall see fit to maintain at any port an establishment of officers to be sent on board of vessels to watch their unlading and lading, then, after due notification shall have been given that such establishment is so maintained at any port, the collector of customs at that port shall have power at his discretion to send one or more officers of such establishment to remain on board of any vessel in such port by night and by day, until the vessel shall leave the port, or it shall be otherwise ordered by the collector.

XXXV. And it is hereby enacted, that any master of such vessel at such port who shall refuse to receive such officer with one servant on board, when such officer shall be so deputed as above provided, or shall not afford such officer and such servant suitable shelter and sleeping accommodation while on board, and
likewise

likewise furnish them with a due allowance of fresh water if necessary, and with the means of cooking on board, shall be liable to fine not exceeding the sum of 100 rupees for each day during which such officer and servant shall not be received and provided with suitable shelter and accommodation.

XXXVI. And it is hereby enacted, that whenever a collector of customs shall see cause to direct that any vessel shall be searched, he shall issue his warrant or written order for such search, addressed to any officer under his authority, and upon production of such order the officer bearing it shall be competent to require any cabins, lockers or bulk-heads to be opened in his presence, and if they be not opened upon his requisition to break the same open, and any goods that may be found concealed, and that shall not be duly accounted for to the satisfaction of the collector of customs, shall be liable to confiscation, and any master or person in charge of a vessel, who shall resist such officer or refuse to allow the vessel to be searched when so ordered by the collector of customs, shall be liable upon conviction for every such offence to a fine of 1,000 rupees.

XXXVII. And it is hereby enacted, that every master of a vessel who shall remove from such vessel or put on board thereof any goods, or cause or suffer any goods to be removed from thence or put on board thereof between sunset and sunrise, or on any day when the custom-house is closed for business, without leave in writing obtained from the collector of customs, shall be punished with a fine not exceeding 500 rupees.

XXXVIII. And it is hereby enacted, that no cargo-boat laden with goods intended for exportation by sea shall make fast to or lie alongside of any vessel on board of which there shall be a customs officer stationed, unless there shall be on board the boat, or have been received by the said customs officer, a custom-house permit or order for the shipment of the goods, and the goods on board of any boat that may so be alongside or be made fast to a vessel, if such goods be not covered by a custom-house pass accompanying them, or previously received by the customs officer on board, the said vessel shall be liable to confiscation.

XXXIX. And it is hereby enacted, that when goods shall be sent from on board of any vessel having a customs officer on board for the purpose of being landed and passed for importation, there shall be sent with each boat load or other separate despatch a boat-note, specifying the number of packages, and the marks and numbers or other description thereof, and such boat-note shall be signed by an officer of the vessel, and likewise by the customs officer on board, and if any imported goods be found in a boat proceeding to land from such a vessel without a boat-note, or if being accompanied by a boat-note, they be found out of the proper track between the ship and the proper place of landing, the boat containing such goods may be detained by any officer of customs duly authorized by the collector, and unless the cause of deviation be explained to the satisfaction of the collector of customs, the goods shall be liable to confiscation.

XL. And it is hereby enacted, that when goods shall be brought to be passed through the custom-house, either for importation or exportation by sea, if the packages in which the same may be contained shall be found not to correspond with the description of them given in the application for passing them through the custom-house, or if the contents thereof be found not to have been correctly described in regard to sort, quality or quantity, or if any goods not stated in the application be found concealed in or mixed up with the specified articles, all such packages, with the whole of the goods contained therein, shall be liable to confiscation.

XLI. And it is hereby enacted, that if any person, after goods have been landed, and before they have been passed through the custom-house, removes or attempts to remove them with the intention of defrauding the revenue, the goods shall be liable to confiscation, unless it shall be proved to the satisfaction of the collector of customs that the removal was not sanctioned by the owner or by any person having an interest in or power over the goods.

XLII. And it is hereby enacted, that it shall be lawful for the collector of customs, whenever he shall see fit, to require that goods brought by sea and stowed in bulk shall be weighed or measured on board ship before being sent to
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land, and to levy duty according to the result of such weighing or measurement.

XLIII. And it is hereby enacted, that on application by the exporter of any salt that has paid the excise duty fixed by Act No. XXVII. of 1837, a certificate shall be granted by the collector of customs at the place of export, under authority of which certificate the quantity of salt specified therein shall be landed at any other port of the said Presidency of Bombay, and shall be passed from such port into the interior without the levy of any further duty either of excise or of customs.

XLIV. And it is hereby enacted, that when a customs officer shall be sent on board of any vessel to superintend the delivery of cargo, 20 days, exclusive of Sundays and holidays, shall be allowed for the discharge of the import cargo of vessels not exceeding 600 tons burthen, and 30 days, exclusive of Sundays and holidays, for the discharge of the import cargo of vessels exceeding that burthen, and the said periods shall be calculated from the day when the customs officer first went on board; and if the whole cargo be not discharged by the expiration of the above-mentioned periods, the master shall be charged with the wages of such officer, and other expenses for any further period that such officer may be detained on board; and if the owners, importers or consignees do not bring their goods to land within the periods above fixed, it shall be the duty of the master so to do.

XLV. And it is hereby enacted, that when there shall be no customs officer sent aboard vessels discharging cargo, it shall be lawful for the collector of customs to fix a period, not being less than 20 days, for the discharge thereof and clearance of the vessel inwards; and if any goods remain on board after the time so fixed, or after the time allowed in the last preceding section of this Act, the collector may order the same to be landed and warehoused for the security of the duties chargeable thereon, and of any freight and primage and other demands that may be due thereon, giving his receipt to the master for the same: Provided always, that in all cases it shall be lawful for the collector or other officer in charge of the custom-house, with the consent of master of the vessel, to cause any packages to be brought on shore, and to be deposited in the Government warehouses for the security of the duties and charges thereon, although 20 days may not have expired from the entry of such vessel; and in case any goods brought to land from any vessel be not claimed and cleared from the custom-house within three months from the date of entry of the ship in which such goods were imported, it shall be competent to the collector to sell the same on account of the duties and other charges due thereon, and the balance remaining after deducting the said duties and charges shall be held in deposit and paid to the owner on application.

XLVI. And it is hereby enacted, that when a customs officer shall be sent on board of any vessel discharging cargo, a further period of 15 days, Sundays and holidays excluded, beyond the 20 days above specified, shall be allowed for putting on board export cargo if the vessel shall not exceed 600 tons burthen, and 20 days if it exceed that burthen, when the lading and unlading thereof shall be continuous, and the master or commander shall in such case not be charged with the wages and expenses of the customs officer on board until after the expiration of such additional period; and if a vessel having discharged its import cargo shall be laid up, the customs officer on board shall certify that no goods remain on board except necessary stores and articles for use, and when a vessel so laid up shall be entered at the Custom-house for receipt of export cargo, a customs officer shall be sent on board, and if the said last-mentioned officer shall certify that no goods are on board except as above excepted, 20 days, exclusive of Sundays and holidays, as above, shall be allowed from the date of such certificate for the lading outwards of a vessel not exceeding 600 tons, and 30 days for vessels exceeding that burthen, after which periods respectively the master shall be charged with the wages and expenses of the customs officer on board to the date of the vessel's sailing from the port.

XLVII. And it is hereby enacted, that when upon application from the master of any vessel the customs officer shall be removed from on board thereof under the provisions to that effect contained in the last preceding section of this Act, if the
 master

master of such vessel shall, before a customs officer have again been placed in such vessel, put on board of such vessel, or cause or suffer to be put on board of such vessel, any goods whatever, such master shall be punished with a fine not exceeding 1,000 rupees, and the goods shall be liable to be reloaded for examination at the expense of the shippers, upon requisition to that effect from the collector of customs.

XLVIII. And it is hereby enacted, that upon any goods liable to duty that may be passed through the custom-house for shipment, the application for which shall be presented after port-clearance shall have been taken out, double of the prescribed duty shall in all cases be levied, and if the goods be free, or have already paid import duty, or have been imported free under certificate, five per cent. upon the market value shall be levied thereon, or if the same be imported goods entitled to drawback, the drawback shall be forfeited, but no separate duty shall be levied on drawback goods.

XLIX. And it is hereby enacted, that when a vessel having cleared out from any port shall put back from stress of weather, or it shall for any damage or from other cause, be necessary that the cargo of a vessel that has cleared out shall be unshipped or reloaded, a customs officer shall be sent to watch the vessel and take charge of the cargo during such reloading or removal from on board, and the goods on board such vessel shall not be allowed to be transhipped or re-exported free of duty by reason of the previous settlement of duty at the time of first export, unless the goods shall be lodged in such place as shall be allowed by the collector of customs, and shall remain while on land, or while on board of any other vessel under special charge of the officers of customs, until the time of re-export, and all charges attending such custody shall be borne by the exporter; provided, however, that in all cases of return to port after port-clearance, on account of damage, or for stress of weather, it shall be lawful for the owner, or for the master, to enter the vessel and land the cargo under the rules for the importation of goods, and the export duty shall in that case be refunded, and the amount paid in drawback be reclaimed, and if goods on account of which drawback has been paid be not found on board the vessel, the master shall be liable to a fine not exceeding the entire value thereof, unless he account for them to the satisfaction of the collector of customs.

L. And it is hereby enacted, that when goods shall be reloaded before the lading of any vessel is complete, and before port-clearance has been granted, the duty levied upon such goods shall be returned to the exporter, but no refund shall be made of duty paid on the export of any goods after port-clearance shall have been granted for the vessel on which the goods were exported, unless the vessel shall have put back for stress of weather, or for damage, and the goods shall have been reloaded under the rule contained in the last preceding section of this Act.

LI. And it is hereby enacted, that it shall be lawful for the said Governor in Council to establish rules for the anchoring of the coasting and country craft of the British territories, for the delivery of manifests of the cargo of such vessels, and for the landing of goods therefrom, and shipping of goods therein, and that whoever being in charge of any such craft shall knowingly contravene any such rule, shall be liable to a fine not exceeding 100 rupees for each offence.

LII. And it is hereby enacted, that pattamars, dhomes, botellos and other small craft from the Maldive or Laccadive Islands, or from the native ports of Kattywar, Cutch and Scinde, shall be treated in the ports of the Bombay Presidency like the coasting craft of the British territory, provided that they conform to such special regulations as to the place of anchoring and mode of landing and shipping goods as may be made by the Governor in Council of Bombay for such vessels in the several ports of the Bombay Presidency.

LIII. And it is hereby enacted, that no drawback shall be allowed on goods shipped on such native craft as are described in the last preceding section of this

LIV. And it is hereby enacted, that goods exported in the same vessels, if manifested for re-export, shall not be subject to import or export duty, and if any goods brought to any port in any vessel be transhipped in such port, they shall

in all cases be subject to the same duty as if they had been landed and passed through the custom-house for re-exportation in the vessel into which they may be transhipped.

LV. And it is hereby enacted, that no transhipment shall be made of any goods except under special order in writing from the collector of customs of the port, and an officer of customs shall in all cases be deputed to superintend the removal of the goods from vessel to vessel.

LVII. And it is hereby enacted, that at every port subordinate to the Bombay Presidency, the port of Bombay excepted, an anchorage fee shall be levied once at each port according to the burthen, on all country craft above the burthen of (100) one hundred maunds, at the rates hereinunder specified.

Above {	10 Candies (equal to 100 maunds,)	Not exceeding -	20 Candies, {	200 Indian maunds, }	Fee. Rupees.
	20	-	40	-	1 8
"	40	-	60	-	2 -
"	60	-	80	-	2 8
"	80	-	100	-	3 -
"	100	-	150	-	3 8
"	150	-	200	-	4 -
"	200	-	250	-	4 8
"	250	-	300	-	5 -
"	300	-	350	-	5 8
"	350	-	400 and upwards	-	6 -

LVII. And it is hereby enacted, that in all cases in which under this Act goods are liable to confiscation, the collector of customs of the place where those goods may be shall be competent to adjudge such confiscation.

LVIII. And it is hereby enacted, that if any person in charge of a vessel shall have become liable to any fine on account of any act or omission relating to customs, the collector of customs shall be competent, subject to the orders of the Governor in Council of the Presidency of Bombay, to refuse port clearance to such vessel until the fine shall be discharged.

LIX. And it is hereby enacted, that it shall be lawful for any collector of customs, or other officer who may be authorized to adjudicate customs cases, if he shall decide that a seizure of goods made under the authority of this Act was vexatious and unnecessary, to adjudge damages to be paid to the proprietor by the customs officer who made such vexatious seizure, besides ordering the immediate release of the goods; and if the proprietor accept such damages, no action shall thereafter lie against the officer of customs in any court of justice on account of such seizure; and if such adjudicating officer shall decide that the seizure was warranted, but shall deem that the penalty of confiscation is unduly severe, it shall be lawful for him to mitigate the same to the extent of the levy of double duty; and if the said officer shall adjudge confiscation, it shall further be lawful for him to order that from the proceeds of the sale of the goods, a proportion not exceeding one-half shall be distributed in rewards amongst such officers as he shall deem entitled thereto, and in such proportion as he may direct to each respectively.

LX. And it is hereby enacted, that all officers of customs shall, as heretofore, be amenable to the civil courts of the Presidency or Island of Bombay, by action for damages on account of any executive acts done in their official capacity, at the suit of the parties injured by such acts; provided, however, that no suit shall be against a collector of customs or other officer for any judicial award in a matter of customs passed under the preceding section of this Act.

LXI. And it is hereby enacted, that whoever intentionally obstructs any officer in the exercise of any powers given by this Act to such officer, shall be punished with imprisonment for a term not exceeding six months, or fine not exceeding 1,000 rupees, or both.

LXII. And it is hereby enacted, that whoever, being an officer appointed under the authority of this Act, shall accept or obtain, or attempt to obtain from any person any property as a consideration for doing or forbearing to do any official act, shall be punished with imprisonment for a term not exceeding two years or fine, or both.

LXIII. And

LXIII. And it is hereby enacted, that whoever, being an officer appointed under the authority of this Act, practises or attempts to practise any fraud for the purpose of injuring the customs revenue, or abets or connives at any such fraud, or at any attempt to practise any such fraud, shall be punished with imprisonment for a term not exceeding two years, or fine, or both

LXIV. And it is hereby enacted, that it shall be lawful for the Governor in Council of Bombay, by an Order in Council, to transfer any of the powers given to a collector of customs by this Act to any other functionary, and to make any rules consistent with law for the carrying of this Act into effect, and to establish such bunders and appoint such officers as he shall think fit, and to fix rates of wharfage and of rent to be paid for goods deposited or suffered to lie in the godowns of the custom-house.

SCHEDULE A.

RALES OF DUTY to be charged on Goods imported by Sea into any Port of the Presidency of Bombay

No.	Enumeration of Goods	When Imported on British Bottoms	When Imported on Foreign Bottoms
1	Bullion and Coin	Free	Free
2	Precious Stones and Pearls	- ditto	- ditto
3	Grain and Pulse	- ditto	- ditto
4	Horses and other living Animals	- ditto	- ditto
5	Ice	- ditto	- ditto
6	Coal, Coke, Bricks, Chalk, Stones (Marble and Wrought Stones excepted)	- ditto	- ditto
7	Books printed in the United Kingdom, or in any British Possession	- ditto	3 per cent
8	Foreign Books	3 per cent	6 per cent.
9	Marine Stores, the produce or manufacture of the United Kingdom, or of any British Possession	3 per cent	6 per cent
10	Marine Stores, the produce or manufacture of any other place or country	6 per cent	12 per cent
11	Metals, wrought or unwrought, the produce or manufacture of the United Kingdom or any British Possession	3 per cent	6 per cent
12	Metals, wrought or unwrought, excepting Tin, the produce or manufacture of any other place	6 per cent	12 per cent
13	Tin, the produce of any other place than the United Kingdom, or any British Possession	10 per cent	20 per cent
14	Woolless, the produce or manufacture of the United Kingdom, or any British Possession	2 per cent	4 per cent
15	Woolens, the produce of any other place or country	4 per cent.	8 per cent
16	Cotton Wool, not covered by certificate, of the payment of Export Duty at any other Port of Bombay	{ 9 annas per maund of 80 tolas to the seer }	{ 1 rupee 2 annas per maund of 80 tolas to the seer }
17	Cotton and Silk Piece Goods, Cotton Twist and Yarn, the produce of the United Kingdom, or of any British Possession	3½ per cent.	7 per cent
18	Cotton and Silk Piece Goods, the produce of any other place	7 per cent	14 per cent
19	Opium, covered by a pass	Free	Free.
20	Opium, not covered by a pass	{ 24 rupees per seer of 80 tolas } { 8 annas per maund of 80 tolas per seer }	{ 24 rupees per seer of 80 tolas } { 8 annas per maund of 80 tolas per seer }
21	Salt, not covered by a pass	{ 8 annas per maund of 80 tolas per seer }	{ 8 annas per maund of 80 tolas per seer }
22	Alum	10 per cent.	20 per cent.
23	Camphor	10 per cent	20 per cent
24	Cassia	10 per cent	20 per cent.
25	Cloves	10 per cent.	20 per cent.
26	Coffee	7½ per cent.	15 per cent
27	Coral	10 per cent.	20 per cent.
28	Nutmegs and Mace	10 per cent.	20 per cent.
29	Pepper	10 per cent	20 per cent
30	Rattans	7½ per cent	15 per cent
31	Tea	10 per cent.	20 per cent.
32	Vermilion	10 per cent	20 per cent
33	Wines and Liqueurs	10 per cent.	20 per cent
34	Spirits, consolidated duty, including any duties levied heretofore through the police And the duty on Spirits shall be rateably increased as the strength exceeds London proof, and when imported in bottles, five quart bottles shall be deemed equal to the imperial gallon.	{ 9 annas per imperial gallon }	{ 1 rupee per imperial gallon }
35	Tobacco Which duty shall be the minimum customs duty, levied on Raw Tobacco and all preparations thereof, in all the ports of the Bombay Presidency, but if at the rate of five per cent on the actual value, a higher duty than one rupee eight annas per maund should be leviable on any preparation of Tobacco, the duty shall be levied <i>ad valorem</i> at that rate if imported on British bottoms, and at 10 per cent on foreign bottoms. And the customs duty laid upon Tobacco shall be allowed in settling for the special duty levied on the import of this article into the Island of Bombay, which special duty shall be levied at the rate of nine rupees for the Indian maund	{ 1 rupee 8 annas per maund of 80 tolas per seer }	{ 1 rupee 8 annas per maund of 80 tolas per seer }
36	All articles not included in the above enumeration	3½ per cent.	7 per cent.

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And if the collector of customs shall see reason to doubt whether the goods liable to a different rate of duty according to the place of their production, come from the country from which they are declared to come by the importer, it shall be lawful for the collector of customs to call on the importer to furnish evidence as to the place of manufacture or production; and if such evidence shall not satisfy the said collector of the truth of the declaration, the goods shall be charged with the highest rate of duty, subject always to an appeal to the Governor in Council at Bombay.

And upon the re-export by sea of goods imported, excepting opium and salt, and all goods of the growth, production or manufacture of the continent of India, provided the re-export be made within two years of the date of import, as per custom-house register, and the goods be identified to the satisfaction of the collector of customs, there shall be retained one-eighth of the amount of duty levied, and the remainder shall be repaid as drawback.

But no exporter of imported goods shall be entitled to drawback unless the drawback be claimed at the time of re-export, nor shall any payment be made of drawback unless the amount claimed be demanded within one year from the date of entry of the goods for re-export in the custom-house registers.

SCHEDULE B.

RATES OF DUTY to be charged on Goods Exported by Sea, from any Port or Place in the Presidency of Bombay

No	Enumeration of Goods.	Exported on British Bottoms.	Exported on Foreign Bottoms
1	Bullion and Coin	Free	Free
2	Precious Stones and Pearls	- ditto	- ditto.
3	Books, Maps and Drawings printed in India	- ditto	- ditto
4	Horses and living Animals	- ditto	- ditto.
5	Opium, covered by a pass	- ditto	- ditto
6	Opium, not covered by a pass	Prohibited	Prohibited
7	Cotton Wool exported to Europe, the United States of America, or any British Possession in America	Free	{ 9 annas per maund of 80 tolas to the seer.
8	Cotton Wool exported to places other than above	{ 9 annas per maund of 80 tolas per seer	{ 1 rupee 2 annas per maund of 80 tolas to the seer.
9	Salt having paid the Excise of 8 annas a maund	Free	Free.
10	Tobacco	{ 1 rupee 8 annas per maund of 80 tolas to the seer	{ 1 rupee 8 annas per maund of 80 tolas per seer.
11	All country articles not enumerated or named above	8 per cent.	8 per cent.

And upon the re-export to Europe, the United States of America, or to any British possession in America, or from any other port of the Bombay Presidency, of cotton that has been imported under certificate of the payment of the duty specified in this Schedule, provided that the re-export be made in British bottoms, within two years from the date of such certificate, and the amount be claimed within one year from the date of re-export as per custom-house registers, the whole amount of export duty levied at the first place of export shall be refunded.

SCHEDULE C.

MANIFEST of Goods imported per						Commander, from		under		Colours, viz			
Marks	Numbers	Packages	Quantity.	Weight.	Gallons.	Yards.	Description of Goods.	Invoice Value	Tariff Value.				
A.	1 a' 5	5 cases	250 pieces			3,000	Cambrics Long Cloths, bleached Long Cloths, unbleached. Madapollams, bleached. Madapollams, unbleached Plain Mushins						

N.B.—Articles generally to be specified, excepting such as Ironmongery, Hardware, Glassware, Earthenware, Cutlery, Perfumery, Confectionery, Stationery, and such like. All articles from Great Britain to be entered according to the English weight, not native. From China, in like manner in China weights. In imports and exports of Bullion or Coin, to specify the sort of which they consist.

ACT No. XIX. of 1838.

Passed by the Honourable the President of the Council of India in Council, on the 27th August 1838.

I. It is hereby enacted, that from the 1st day of November 1838, Sections XX. and XXI, Regulation XX. of 1827, of the Bombay Code, be repealed.

II. And it is hereby enacted, that from the said 1st day of November 1838, the following rules shall be in force with respect to vessels belonging to any of Her Majesty's subjects residing within the Presidency of Bombay, and employed on the coasts of the territories subject to the Government of Bombay, or in trading coastwise, as also with respect to fishing vessels and harbour craft belonging to any of the same Her Majesty's subjects.

III. And it is hereby enacted, that every such vessel employed as aforesaid, fishing vessel and harbour craft, shall be marked or branded with the name of the place to which she belongs, and also with a number assigned for the same, by the officer authorized to make such registry as is hereinafter mentioned; and the owner or owners of such vessel employed as aforesaid, fishing vessel and harbour craft, shall cause such name and number to be painted in black paint, upon a white ground, on each quarter of such vessel employed as aforesaid, fishing vessel and harbour craft, in English figures and letters, each figure and letter being six inches in length.

IV. And it is hereby enacted, that the name and number of every such vessel employed as aforesaid, fishing vessel and harbour craft, and her burthen, and also the name or names of the owner or owners thereof, shall be registered in a book to be kept for that purpose, by the person hereinafter directed to make such registry; at Bombay, such registry shall be made by the master attendant, and at other places within the said territories, by the collector of sea customs at such places respectively, or by such other person as shall be appointed by the Government of Bombay to act at such places respectively in the execution of this Act; and whenever any change shall take place in the burthen of such vessel employed as aforesaid, fishing vessel or harbour craft, or in the name or names of the owner or owners thereof, such registry shall be made again; provided, however, that it shall not be lawful to give any name to such vessel employed as aforesaid, fishing vessel or harbour craft, other than that by which she was first registered.

V. And it is hereby enacted, that the owner or owners of every such vessel employed as aforesaid, fishing vessel and harbour craft, shall apply to the person authorized to make such registry in respect of the same, in order to have such registry as aforesaid made, or in order to have such registry made again as aforesaid; and whenever such vessel employed as aforesaid, fishing vessel or harbour craft is registered at a subordinate port, information thereof, and of the number there assigned to her, shall immediately be given by the registering officer, to the master attendant at Bombay.

VI. And it is hereby enacted, that the duty of marking or branding, and of ascertaining the burthen of such vessels employed as aforesaid, fishing vessels and harbour craft at Bombay, shall be performed by the master attendant; and at all other places within the territories subject to the Government of Bombay, the duty of marking or branding, and of ascertaining the burthen of such vessels employed as aforesaid, fishing vessels and harbour craft, shall be performed by the collector of sea customs at such places respectively, or by such other persons as shall be appointed by the Government of Bombay to act at such places respectively in the execution of this Act.

VII. And it is hereby enacted, that the owner or owners of every such vessel employed as aforesaid, fishing vessel and harbour craft, shall apply for and obtain a certificate of registry from the person authorized to make such registry as aforesaid, and such certificate shall be in the form specified in the Schedule appended to this Act; and in the case of any certificate being lost or destroyed, a renewed certificate may be obtained in the same manner, and on payment of the fees hereinafter mentioned.

VIII. And it is hereby enacted, that such certificate of registry shall be sealed

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with the seal of the East India Company, and shall be signed by the person authorized to make such registry.

IX. And it is hereby enacted, that such certificate shall be issued to every vessel employed as aforesaid, fishing vessel and harbour craft as aforesaid, from the date of the expiration of the pass she is now furnished with; the registrations with respect to fishing vessels and harbour craft, to take effect from the 1st of November 1838.

X. And it is hereby enacted, that the owner or owners of such vessels employed as aforesaid (fishing vessels and harbour craft being excepted), on being registered as aforesaid, shall pay:—

For each certificate of registry for a vessel not exceeding 20 Bombay candies burthen, the fee of - - - - -	} 1 Rupee.
For each certificate for a vessel exceeding 20 such candies burthen, and not exceeding 100 candies burthen - - - - -	} 5 "
For each certificate for a vessel exceeding 100 such candies burthen, and not exceeding 400 candies burthen - - - - -	} 7 "
And for each certificate for a vessel of 100 tons, or greater burthen, per ton - - - - -	} 2 Annas.

XI. And it is hereby enacted, that the person or persons so authorized to make such registry as aforesaid, shall receive the fees payable for the same, and shall pay such fees to such officer as the Governor of Bombay in Council shall appoint, the same to be carried to the credit of the Government of Bombay.

XII. And it is hereby enacted, that the owner or owners or commander of every such vessel employed as aforesaid, fishing vessel and harbour craft, shall produce, on demand thereof by any officer of the customs within the said territories, or by any officer of the Indian navy, the certificate so directed to be applied for and obtained in respect of such vessel employed as aforesaid, fishing vessel or harbour craft as above-mentioned.

XIII. And it is hereby enacted, that in case any such vessel employed as aforesaid, fishing vessel or harbour craft, shall not be so marked or branded in all respects as hereinbefore directed, or in case the name and number of any such vessel employed as aforesaid, fishing vessel or harbour craft, shall not be so painted, or shall not continue so painted, on such vessel employed as aforesaid, fishing vessel or harbour craft, in all respects as hereinbefore directed, or in case any such vessel employed as aforesaid, fishing vessel or harbour craft, shall not be furnished with such certificate as hereinbefore specified, or in case the owner or owners or commander of any such vessel employed as aforesaid, fishing vessel or harbour craft, shall not produce such certificate on demand thereof as hereinbefore directed, the owner or owners of every such vessel employed as aforesaid, shall be subject to a fine of ten times the amount of the fees payable in respect of the certificate of registry of such vessel, the same being a vessel for the certificate of the registration of which any fee is payable, and the owner or owners of any such fishing vessel or harbour craft, shall be subject to a fine of 10 rupees; which fines may be recovered on conviction before any magistrate, justice of the peace or person exercising the powers of a magistrate having jurisdiction within the said territories, by sale of such vessel, fishing vessel or harbour craft, her furniture, ammunition, tackle and apparel, and such fines shall be payable as often as the owner or owners or commander of any such vessel employed as aforesaid, fishing vessel or harbour craft, shall make such default as aforesaid, provided every such subsequent default be made after the expiration of one month from the date of the last conviction.

XIV. And it is hereby enacted, that the Governor of Bombay in Council may direct compensation for trouble and diligence in seizing such vessel employed as aforesaid, fishing vessel or harbour craft, guns, furniture, tackle, ammunition and apparel, as last mentioned to be made, out of the proceeds of such seizure, to the person or persons who shall have seized the same, to such amount, in such manner, and in such shares or proportions, as to the said Governor in Council shall seem meet.

XV. And it is hereby enacted, that from the 1st day of November 1838, a certificate from the marine paymaster at Bombay, or from the boat-master at
Bombay,

Bombay, shall not be required in order to enable any person or persons to obtain a port clearance for any vessel at the custom-house of Bombay.

SCHEDULE.

THIS is to certify that (here insert the names, occupation and residence of the owners) having declared, that (he or they) are sole owner or owners of the vessel (fishing vessel or harbour craft) called (the name) which is of the burthen of (number of Bombay candies) and that the said vessel (fishing vessel or harbour craft) was (where and when built) the said vessel (fishing vessel or harbour craft) has been duly registered at the port of (name of port). Certified under my hand. (Signature of Officer.)

ACT No. XIII. of 1839.

Passed by the Honourable the President of the Council of India in Council, on the 20th May 1839.

I. It is hereby enacted, that the several charges of the port and roadstead of Madras, levied under the heads of anchorage duty, lighthouse duty, regular boat-hire and report catamaran hire, shall, from and after the first day of August next, be consolidated and commuted into a port duty, to be levied at the rate of three annas per ton upon every vessel, not being a vessel sailing under the colours of a foreign European or American nation, of which the tonnage shall not exceed 700 tons by measurement, made in the manner prescribed by Act 5 & 6 of William IV. Cap. LVI., and if the vessel exceed 700 tons by measurement so made, the port duty shall be levied as upon that tonnage.

II. And it is hereby enacted, that upon every vessel sailing under the colours of a foreign European or American nation that may anchor in the port of Madras, there shall be levied a consolidated port duty at the rate of three annas six pie per ton, according to measurement made in the manner above prescribed.

III. And it is hereby enacted, that if any vessels, British, native or foreign, anchoring in the port of Madras, shall not break bulk therein, and shall not remain four complete days from the time of dropping anchor, there shall be levied upon such vessels reduced duties as follows; that is to say, two-fifths of the tonnage duty prescribed above shall be levied upon every vessel which without breaking bulk shall, after anchoring therein, sail again out of the port within 48 hours, and seven-tenths upon every vessel which without breaking bulk shall stay more than 48 hours and less than four complete days.

IV. And it is hereby enacted, that all powers and authorities, penalties and other means whereby the payment of any of the charges of the port and roadstead of Madras may have been legally enforced before the passing of this Act, shall be applicable to the enforcing of the consolidated and commuted port duties imposed by virtue of this Act.

V. And it is hereby enacted, that it shall be lawful for the Government of India to order the consolidation and commutation of any port or harbour duties, as levied in any subordinate port of any Presidency into a tonnage duty, which shall be leviable at the rate and in the manner specified in the next following section of this Act, upon the vessels anchoring in and trading with such port.

VI. And it is hereby enacted, that when the Governor-general of India in Council shall direct the port duties to be commuted and consolidated at any port of the Madras Presidency other than that of Madras, or at any subordinate port of any other Presidency, the total amount levied at such port shall not exceed one anna per ton for British and native vessels not exceeding 700 tons, and upon vessels exceeding that measurement at the rate for 700 tons, and upon foreign European and American vessels, at the rate of one anna four pie per ton; and all vessels anchoring in any such outports shall be charged with reduced duty, in the proportions above provided for the port of Madras, if they leave such port without breaking bulk before completing four entire days from the time of anchoring therein.

VII. And it is hereby enacted, that the consolidated and commuted port duties above prescribed, when ordered to be levied in any port by the Governor-general

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of India in Council, shall be levied by the officer appointed by the Government of the Presidency within which the port is situate, to give port-clearances or other customary documents to vessels sailing from such port; that is to say, by the master attendant or by the collector of customs at such port, as may be ordered by such Government, and if such duties be not paid upon demand, it shall be competent to such officer to withhold from the vessel on account of which payment may be refused, any port clearance or other customary document required to be possessed by ships leaving such port until the same shall be paid.

VIII. And it is hereby enacted, that all the powers and authorities, penalties and other means by which any port or harbour duty of any subordinate port of any Presidency which shall be consolidated and commuted by virtue of this Act, may have been legally enforced before the consolidation and commutation thereof as hereinbefore provided, shall be applicable to the enforcing of the consolidated and commuted duties at such port, imposed by virtue of this Act.

ACT No. XV. of 1839.

Passed by the Honourable the President of the Council of India in Council, on the 10th June 1839.

I. It is hereby enacted, that if any person, on or after the day on which this Act will come into operation as hereinafter provided, lands or attempts to land in any part of the territories subject to the government of the Presidency of Fort St. George, any foreign sugar, or any sugar which is the growth of any British possession into which foreign sugar can be legally imported, such sugar shall be seized and confiscated by the collector of the customs, or by any other officer thereunto authorized by the Governor in Council of the said Presidency: Provided always, that sugar which is the growth of any part of the Presidency of Fort William in Bengal, into which foreign sugar, and sugar which is the growth of any British possession into which foreign sugar may be legally imported, are prohibited from being landed, may, during such prohibition, be landed in the said territories as heretofore.

II. And it is hereby enacted, that if any person being in possession of sugar, the produce of the said territories, desires to obtain a certificate of origin from the collector or assistant collector of the land or custom revenue of any district within the said territories, or from any other officer appointed by the Governor in Council of Fort St. George to give such certificates, such person shall, in the presence of the officer from whom he desires to obtain such certificate, make and subscribe a declaration in the form contained in the Schedule hereunto annexed, marked A.

III. And it is hereby enacted, that the officer before whom such a declaration as is aforesaid shall have been made, shall grant under his hand and seal to the declarant a certificate in the form contained in the Schedule hereunto annexed, marked B.

IV. And it is hereby enacted, that every person who intends to ship sugar from any place within the said territories for any part of the United Kingdom, shall be entitled to produce to the collector of customs at that place, or to any other officer who may have been appointed by the Governor in Council of Fort St. George to act on such occasions instead of the collector of customs, a certificate such as is above described, and also in the presence of the officer to whom he has so produced such certificate, to make and subscribe a declaration in the form contained in the Schedule hereunto annexed, marked C.

V. And it is hereby enacted, that the officer to whom such a certificate shall have been so produced, and before whom a declaration in the last mentioned form shall have been so made and subscribed, shall grant to the person who has made the last mentioned declaration a certificate in the form contained in the Schedule hereunto annexed, marked D.

VI. And it is hereby enacted, that any person who shall, in making any declaration under the authority of this Act, knowingly affirm an untruth, shall, on conviction

SCHEDULE D.

I, G. H., collector of customs (or being an officer appointed by the Governor in Council of Fort St. George to act in this behalf) for the port of
 certify, under my hand and seal, that there has been produced to me by E. F., the shipper of the sugar hereunder described, a certificate under the hand and seal of C. D., collector of land revenue (or collector of custom revenue, or being an officer appointed by the Governor in Council of Fort St. George to act in this behalf) for the district of
 in the territories subject to the government of the Presidency of Madras, which certificate certifies that the said sugar is the produce of the said district, and that the importation of foreign sugar, or sugar the growth of any British Possession into which foreign sugar can be legally imported, is prohibited in the said district.

Description of the Sugar to which this Certificate relates.

Quantity	Quality	Number and Denomination of Packages.	Name of the Ship	Name of the Master of the Ship.

(L. S.)

(signed) G. H.

ACT No. VI. of 1841.

Passed by the Right Honourable the Governor-General of India in Council, on the 7th June 1841.

AN ACT for prohibiting the Importation of Rum and Rum Shrub into the Presidency of Fort William in Bengal.

I. It is hereby enacted, that if any person after the passing of this Act, lands or attempts to land, or shall introduce by land in any part of the territories subject to the government of the Presidency of Fort William in Bengal, any rum or rum shrub which is the produce of any foreign country, or of any British possession into which foreign sugar or rum can be legally imported, such rum or rum shrub shall be seized by the collector of the customs, or by any other officer authorized to seize and detain contraband goods, and shall be brought to confiscation according to the rules in force for confiscating such goods, unless the district in which such rum or rum shrub is landed, or in which an attempt has been made to land such rum or rum shrub, be a district in which the Governor-general of India in Council has authorized the importation of such rum or rum shrub, and it shall be lawful for the Governor-general of India in Council to authorize the importation of such rum and rum shrub into any district of the territories aforesaid by an order in the official Gazette.

II. And it is hereby enacted, that if any owner of rum or rum shrub, the produce of the said territories, or the duly authorized agent of such owner, be desirous to obtain a certificate of origin from the collector or assistant collector of the land or customs revenue of any district within the said territories, or from any other officer appointed by the Governor-general of India in Council to give such certificates, such owner or agent shall, in the presence of the officer from whom he desires to obtain such certificate, make and subscribe a declaration in the form contained in the Schedule hereunto annexed marked A., and to the said declaration shall be appended a certificate to its verity from any Government officer who may be attached to the distillery where such rum or rum shrub is declared to have been manufactured, in the form prescribed in the said Schedule A.

III. And it is hereby enacted, that if the district be one into which the Governor-general of India in Council has not, by any order, authorized the importation of foreign sugar or rum, or of sugar or rum the growth or produce of any British possession into which foreign sugar or rum can be legally imported, then the officer before whom such a declaration as is aforesaid shall have been made, shall grant under his hand and seal to the declarant a certificate in the form contained in the Schedule hereunto annexed marked B.

IV. And

IV. And it is hereby enacted, that every person who intends to ship rum or rum shrub from any place within the said territories for any part of the United Kingdom, shall be entitled to produce to the collector of customs at that place, or to any other officer who may have been appointed by the governments of the respective Presidencies to act on that behalf in place of the collector of customs, a certificate, such as is above described, and also, in the presence of the officer to whom he has so produced such certificate, to make and subscribe a declaration in the form contained in the Schedule hereunto annexed marked C.

V. And it is hereby enacted, that the officer to whom such a certificate shall have been so produced, and before whom a declaration in the last-mentioned form shall have been so made and subscribed, shall, unless he see cause to deem such declaration fraudulent and untrue, grant to the person who has made the last-mentioned declaration, a certificate in the form contained in the Schedule hereunto annexed marked D.

VI. And it is hereby enacted, that the owner of rum or rum shrub intended for exportation under this Act, or the duly authorized agent of such owner, shall not be entitled to any of the certificates described in this Act unless such rum or rum shrub shall be the produce of a distillery worked according to law in the European method, under license from the Board or other authority vested with the management of the revenue derived from the abkarry or tax on spirits.

VII. And it is hereby enacted, that the rum and rum shrub manufactured for exportation to the United Kingdom under this Act at any licensed distillery, shall be manufactured pure, without admixture of spirits made from rice, grains or any other substance or substances not being the produce of the sugar-cane or of the date or palm-tree, and shall be so declared and verified at the time of application for a certificate of origin according to the form of Schedule A.

VIII. And it is hereby enacted, that if any rum or rum shrub that may be brought to any custom-house for exportation under this Act shall be found to be adulterated or mixed contrary to the above prohibition, the same, with the casks or materials in which it is contained shall be seized and confiscated, and the party or parties upon whose declaration certificate of manufacture free from adulteration or mixture may have been granted for the admission of such rum or rum shrub to the privilege of exportation under this Act, as well as the party or parties who may have verified such declaration, shall be proceeded against for the false and fraudulent declaration as hereinunder prescribed.

IX. And it is hereby enacted, that any person who shall in making any declaration under the authority of this Act, knowingly affirm an untruth, shall on conviction thereof before such court as would be competent to try such person for perjury, be punished as in cases of perjury; and every person procuring another person to affirm such untruth, shall be liable to be punished as in cases of subornation of perjury, and any officer of Government subscribing an attestation to the verity of such declaration knowing the same to be untrue, shall be subject to a like penalty as the false declarant, besides dismissal from the employment of Government.

SCHEDULE A.

I, A. B., solemnly declare, that all the rum or rum shrub hereinunder described is the produce of the licensed distillery named _____ in the district of _____ and that the said rum or rum shrub is the produce of the sugar-cane, date or palm-tree, and wholly free from any admixture of spirits manufactured from rice, grains or any other substance whatever.

The _____ day of _____ 18 _____ (signed) A. B.

* I, B. B., Government officer in charge on the part of Government, of the distillery, do hereby certify that the above is a true and correct declaration.

B. B.,
Government officer attached to
the _____ Distillery.

* This declaration must be drawn out before the rum leaves the distillery, in order that the attestation of the Government officer may be attached.

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Description of the _____ to which the above Declaration relates.

Quantity in Gallons.	Quality.	Average Strength by Sykes's Hydrometer.	Number and Denomination of Packages.	Marks on Packages.

(signed) A. B.

The _____ day of _____ 18 .
 Collector's number _____
 Collector's date _____ of _____ 18 .
 (signed) Y. Z., Collector.



Seal of the collector.

SCHEDULE B.

I, C. D., collector of land revenue (or collector of custom revenue, or being an officer appointed by the Governor-general of India in Council to act in this behalf) for the district of _____ do hereby, in conformity with the provisions of Act _____ grant this certificate under my hand and seal, that the rum or rum shrub described in the declaration hereunto annexed, which is sealed with the seal of this office, numbered _____ of _____ 18 , dated the _____ of _____ 18 and signed by _____ manager or owner of the licensed distillery called _____ is the produce of the district of _____ and is declared to be free from any admixture of spirits manufactured from other substance than the sugar-cane, date or palm-tree, and that the importation of foreign sugar and rum, and of sugar and rum the growth or produce of any British possessions into which foreign sugar and rum can be legally imported, is prohibited in the said district of _____

(signed) C. D.

This _____ day of _____ 18 .

SCHEDULE C.

I, E. F., shipper of the rum or rum shrub hereunder described, solemnly declare, that all the rum or rum shrub hereunder described is, to the best of my knowledge and belief, the same rum or rum shrub to which the certificate now produced by me relates.

(signed) E. F.

Description of _____ to which this Declaration relates.

Quantity in Gallons.	Quality.	Average Strength by Sykes's Hydrometer.	Number and Denomination of Packages.	Name of Ship or Vessel.	Name of Master of Ship or Vessel.

(signed) E. F.

The _____ day of _____ 18 .

SCHEDULE D.

I, R. W., collector of customs (or being an officer appointed by the Governor-general of India in Council to act in this behalf) for the port of _____, certify under my hand and seal, that there has been produced to me by E. F., the shipper of the rum or rum shrub hereunder described, a certificate under the hand and seal of C. D., collector of land revenue, (or collector of custom revenue, or being an officer appointed by the Governor-general of India in Council to act in this behalf) for the district of _____

of such enactments it is expedient to frame such Regulations as are mentioned therein, the compliance with which shall be required in order that ships or vessels may be deemed British ships, or be admitted to the privileges and advantages of British ships under such proclamation as aforesaid :

Ships to be registered
Certificate of registry.

It is hereby enacted, that no ship or vessel shall be deemed a British ship under such proclamation as aforesaid (except as regards ships or vessels registered before the passing of this Act, or having a pass at the time of passing thereof), unless the person or persons claiming property therein shall have caused the same to have been registered at some one of the ports hereinafter mentioned within the territories of the East India Company, and shall have obtained a certificate of such registry from the person or persons authorized to make such registry and grant such certificate as hereinafter directed ; the form of which certificate shall be as follows :

“ This is to certify, that in pursuance of the Act No. X. of 1841, of the Governor-general of India in Council (here insert the names and occupation and residence of subscribing owners) having made and subscribed the declaration required by the said Act, and having declared that (he or they) together with (names, occupations and residence of non-subscribing owners), is (or are) sole owner or owners, in the proportions specified on the back hereof, of the ship or vessel called the (ship's name) of (place at which the vessel shall be registered), which is of the burthen of (number of tons), and whereof (master's name) is master, and that the said ship or vessel was (when and where built), and (name and employment of surveying officer) having certified to us, that the said ship or vessel has (number) decks and (number) masts, that her (here insert the measurement as ascertained by the rules hereinafter mentioned), that she is (how rigged) rigged, with a (standing or running) bowsprit, is (description of stern) sterned, (caryel or clincher) built, has (whether any or no) gallery, and (kind of head, if any) head : and the said subscribing owners having consented and agreed to the above description, the said ship or vessel called the (name) has been duly registered at the port of (name of port). Certified under our hands at the custom-house, in the said port of (name of port), this (date) day of (name of month) in the year (words at length).

(signed)

“ Collector or Registrar of Shipping.”

And on the back of such certificate of registry, there shall be an account of the parts or shares held by each of the owners mentioned and described in such certificate, in the form and manner following :

Names of several Owners within mentioned.	Number of Shares held by each Owner.
Name - - - - -	- - - - - Thirty-two.
Name - - - - -	- - - - - Sixteen.
Name - - - - -	- - - - - Eighth.
	&c. &c.

(signed)

Collector.

Ports of registry.

II. And it is hereby enacted, that the ports at which registration shall be made shall be the ports of Calcutta, Madras, Bombay, Singapore and such other places subordinate to the local Governments of India, as such Governments respectively may from time to time declare to be registering ports under this Act ; provided, that ships or vessels built at any place other than any of such ports, shall be allowed to make their first voyage to any of such ports, being the ports at which it is intended they shall be registered, under a certificate to be granted by the principal British officer at the place where the ship is built, or if there be no British officer in authority there, then by three merchants of such place, which certificate shall contain all the particulars with regard to the ownership and description of the ships or vessels contained in a certificate of registry, and shall specify the ports at which it is intended that they shall respectively be registered, and which certificate shall have all the effect of a certificate of registry under this Act, during the first voyage from the place of building to the ports at which the ships or vessels respectively shall be afterwards registered ; provided that such ships or vessels so proceeding on their first voyage as aforesaid, shall be deemed British ships only whilst duly prosecuting such first voyage for the purpose of registry, and if they

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be not registered within a reasonable time after their arrival at the port of registry, the owner or owners, or master or other person having or taking the command or charge of such ship or vessel, shall be liable on information in any court of Her Majesty or the East India Company by the Advocates-general of the respective Presidencies, to a penalty not exceeding 5,000 rupees.

III. And it is hereby enacted, that the persons authorized to make such registry, and to grant such certificates as aforesaid, shall be the persons now authorized to make registry of ships or vessels under the statute 3 & 4 Will. 4, c. 55, and such other or different persons as the local Governments may from time to time appoint for the ports under their respective Presidencies.

Registrars.
Legislative Letter No.
27 of 1842, 18 Nov.,
para. 1

IV. And it is hereby enacted, that at every port where registry shall be made in pursuance of this Act, a book shall be kept by the registering officer in which all the particulars contained in the form of the certificate of the registry herebefore directed to be used shall be duly entered; and every registry shall be numbered in progression, beginning such progressive numeration at the commencement of each and every year; and such registering officer shall forthwith, or within one month at the furthest, send to the Government of the Presidency to which he is subordinate, a true and exact copy, together with the number of every certificate which shall be by him so granted.

Book of registry.

V. And it is hereby enacted, that no registry shall henceforth be made, or certificate be granted, until the following declaration be made or subscribed before the registering officer by the owner or major part of the owners of the ship or vessel required to be registered :

Declaration.

" I A. B., of (place of residence and occupation) do truly declare that the ship or vessel (name) of (port or place) whereof (master's name) is at present master, being (kind of built, burthen, et cetera, as described in the certificate of the surveying officer) was (when and where) built, and that I, the said (A. B.) and the other owners (names and occupations, if any, and where they respectively reside) am (or are) sole owner (or owners) of the said vessel, and that no other person or persons whatever hath or have any right, title, interest, share or property therein or thereto; and that I, the said (A. B.) and the said other owners (if any) am (or are) truly and bonâ fide a subject (or subjects) of Her Majesty for whom the Governor-general of India in Council has power to legislate, and that no person not being subject as aforesaid, directly or indirectly, hath any share or part interest in the said ship or vessel."

Provided that if the registering officer shall see occasion to doubt the truth of any of the facts contained in the above declaration, he shall not deem such declaration to be conclusive, but may refuse the registry or certificate, and his discretion exercised in this behalf shall be subject only to an appeal to the local Government to which he is subordinate.

VI. And it is hereby enacted, that in case the required number of joint owners of any ship or vessel shall not personally attend to make and subscribe the declaration hereinbefore directed to be made and subscribed, then and in such case such owner or owners as shall personally attend and make and subscribe the declarations aforesaid, shall further declare that the part-owner or part-owners of such ship or vessel then absent, is or are not resident within twenty miles of such port or place, and hath or have not to the best of his or their knowledge or belief, wilfully absented himself or themselves in order to avoid the making the declaration hereinbefore directed to be made and subscribed, or is or are prevented by illness from attending to make and subscribe the said declaration.

VII. And in order to enable the registering officer to grant a certificate truly and accurately describing every ship or vessel to be registered in pursuance of this Act, and also to enable all other officers of customs, on due examination, to discover whether any such ship or vessel is the same with that for which a certificate is alleged to have been granted, it is hereby enacted, that previous to the registering or granting of any certificate of registry as aforesaid, some one or more person or persons appointed by the local Governments respectively, taking to his or their assistance if he or they shall judge it necessary, one or more person or persons skilled in the building and admeasurement of ships, shall go on board of every such ship or vessel that is to be registered, and shall strictly and accurately

Measurement to be made.

examine and admeasure every such ship or vessel as to all and every particular contained in the form of the certificate hereinbefore directed, in the presence of the master, or of any other person who shall be appointed for that purpose on the part of the owner or owners, or in his or their absence by the said master, and shall deliver a true and just account in writing of all such particulars of the build, description and admeasurement of every such ship or vessel as are specified in the form of the certificate above recited, to the officer authorized to make such registry and grant such certificate of registry as aforesaid; and the said master or other person attending on the part of the owner or owners, is hereby required to sign his name also to the certificate of such surveying or examining officer, in testimony of the truth thereof, provided such master or other person shall consent and agree to the several particulars set forth and described therein.

Rules of measurement.

VIII. And it is hereby enacted, that from and after the commencement of this Act the tonnage of every ship or vessel required by law to be registered, shall, previous to her being registered, be measured and ascertained while her hold is clear, and according to the following rule; (that is to say) divide the length of the upper deck between the afterpart of the stem and the forepart of the stern-post into six equal parts. Depths: at the foremost, the middle and the aftermost of those points of division, measure in feet and decimal parts of a foot the depths from the underside of the upper deck to the ceiling at the limber strake. In the case of a break in the upper deck, the depths are to be measured from a line stretched in a continuation of the deck. Breadths: divide each of those three depths into five equal parts, and measure the inside breadths at the following points; videlicet, at one-fifth and at four-fifths from the upper deck of the foremost and aftermost depths, and at two-fifths and four-fifths from the upper-deck of the midship depth. Length: at half the midship depth measure the length of the vessel from the afterpart of the stem to the forepart of the stern-post, then to twice the midship depth add the foremost and the aftermost depths for the sum of the depths; add together the upper and lower breadths at the foremost division, three times the upper breadth and the lower breadth at the midship division, and the upper and twice the lower breadth at the after division, for the sum of the breadths; then multiply the sum of the depths by the sum of the breadths, and this product by the length, and divide the final product by 3,500, which will give the number of tons for register. If the vessel have a poop or half deck, or a break in the upper deck, measure the inside mean length, breadth and height of such part thereof as may be included within the bulk-head; multiply these three measurements together, and dividing the product by 92.4 the quotient will be the number of tons to be added to the result as above found. In order to ascertain the tonnage of open vessels, the depths are to be measured from the upper edge of the upper strake.

Measurement of steam-vessels.

IX. And it is hereby provided, that in each of the several rules hereinbefore prescribed, when applied for the purpose of ascertaining the tonnage of any ship or vessel propelled by steam, the tonnage due to the cubical contents of the engine-room shall be deducted from the total tonnage of the vessel as determined by either of the rules aforesaid, and the remainder shall be deemed the true register tonnage of the said ship or vessel. The tonnage due to the cubical contents of the engine-room shall be determined in the following manner; that is to say, measure the inside length of the engine-room in feet and decimal parts of a foot from the foremost to the aftermost bulk-head, then multiply the said length by the depth of the ship or vessel at the midship division as aforesaid, and the product by the inside breadth at the same division at two-fifths of the depth from the deck taken as aforesaid, and divide the last product by 92.4, and the quotient shall be deemed the tonnage due to the cubical contents of the engine-room.

Alterations in steam-vessels requiring new registry.

X. And it is hereby provided, that the tonnage due to the cubical contents of the engine-room, and also the length of the engine-room, shall be set forth in the certificate of registry as part of the description of the ship or vessel, and that any alteration of such tonnage due to the cubical contents of the engine-room, or of such length of the engine-room after registry, shall be deemed to be an alteration requiring registry de novo within the meaning of the said Act for the registering of ships or vessels.

Measurement of laden ships.

XI. And it is hereby enacted, that for the purpose of ascertaining the tonnage of all such ships, whether belonging to the United Kingdom or otherwise, as there shall

shall be occasion to measure while their cargoes are on board, the following rule shall be observed, and is hereby established; (that is to say) measure first, the length on the upper deck between the after part of the stem and the fore part of the stern-post, secondly, the inside breadth on the underside of the upper deck at the middle point of the length; and, thirdly, the depth from the underside of the upper deck down the pump-well to the skin; multiply these three dimensions together, and divide the product by 130, and the quotient will be the amount of the register tonnage of such ships.

XII. And it is hereby enacted, that the true amount of the register tonnage of every merchant ship or vessel belonging to the United Kingdom, to be ascertained according to the rule by this Act established in respect of such ships, shall be deeply carved or cut in figures of at least three inches in length on the main beam of every such ship or vessel prior to her being registered. Registered tonnage to be marked.

XIII. And it is hereby provided, that country craft employed in coasting voyages, not exceeding the burthen of 200 tons, may be registered, and the tonnage marked according to rules to be prescribed from time to time by the respective local Governments. Country craft not exceeding 200 tons.

XIV. And it is hereby enacted, that whenever the tonnage of any ship or vessel shall have been ascertained according to the rules herein prescribed, such account of tonnage shall ever after be deemed the tonnage of such ship or vessel, and shall be repeated in every subsequent registry of such ship or vessel, unless it shall happen that any alteration has been made in the form of burthen of such ship or vessel, or it shall be discovered that the tonnage of such ship or vessel had been erroneously taken and computed. Registered tonnage to be repeated in every subsequent register.

XV. And it is hereby enacted, that if such certificate as aforesaid shall be sold, lent or otherwise disposed of to any person or persons whatever than those for whose use it is granted, or shall be made use of for the service of any other ship or vessel than the ship or vessel for which it is granted, such certificate shall thenceforth be utterly void, and the master or any owner of the ship or vessel who shall be proved to have sold, lent or disposed of such certificate, or made use of the same as aforesaid, or shall have concurred in or been privy to the committing any such offence, shall be liable upon conviction by information as aforesaid to a penalty not exceeding 10,000 rupees; and in case such ship or vessel shall be lost or taken by the enemy, burnt or broken up, or otherwise prevented from returning to the port at which she is registered, or shall on any account have lost and forfeited the privileges of a British ship, or shall have been seized and legally condemned for illicit trading, or shall have been taken in execution for debt and sold by due process of law, or shall have been sold to the Crown or the East India Company, or shall under any circumstances have been registered de novo, the certificate, if preserved, shall be delivered up within one month after the arrival of the master in any port or place in the territories of the East India Company, to the registering officer at such port, in default whereof the master or any of the owners shall be liable on conviction by information as aforesaid in a penalty not exceeding 5,000 rupees; and if any person not being such subject as aforesaid shall purchase or otherwise become entitled to the whole or to any part or share of, or any interest in such ship or vessel, and the same shall be within the limits of any port of the territories of the East India Company, then and in such case the certificate of registry shall within seven days after such purchase or transfer of property in such ship or vessel be delivered up to the registering officer at such port, and if such ship or vessel shall be in any place not within the territories of the East India Company, when such purchase or transfer of property shall take place, then the certificate shall be delivered up within 14 days after the arrival of such ship or vessel, or of the master thereof, in any port of the territories of the East India Company, to the registering officer at such port, in default whereof the master or any of the owners shall be liable on conviction before any justice of the peace in a penalty not exceeding 5,000 rupees, recoverable in manner provided by Act No. II. of 1839. Fraudulent use of certificate.

XVI. And it is hereby enacted, that when and so often as the master of any ship or vessel registered in manner hereinbefore directed shall be changed, the master or owner of such ship or vessel shall deliver to the person or persons hereinbefore authorized to make such registry and grant such certificates of registry, at Change of master.

examine and admeasure every such ship or vessel as to all and every particular contained in the form of the certificate hereinbefore directed, in the presence of the master, or of any other person who shall be appointed for that purpose on the part of the owner or owners, or in his or their absence by the said master, and shall deliver a true and just account in writing of all such particulars of the build, description and admeasurement of every such ship or vessel as are specified in the form of the certificate above recited, to the officer authorized to make such registry and grant such certificate of registry as aforesaid; and the said master or other person attending on the part of the owner or owners, is hereby required to sign his name also to the certificate of such surveying or examining officer, in testimony of the truth thereof, provided such master or other person shall consent and agree to the several particulars set forth and described therein.

Rules of measurement.

VIII. And it is hereby enacted, that from and after the commencement of this Act the tonnage of every ship or vessel required by law to be registered, shall, previous to her being registered, be measured and ascertained while her hold is clear, and according to the following rule; (that is to say) divide the length of the upper deck between the afterpart of the stem and the forepart of the stern-post into six equal parts. Depths: at the foremost, the middle and the aftermost of those points of division, measure in feet and decimal parts of a foot the depths from the underside of the upper deck to the ceiling at the lumber strake. In the case of a break in the upper deck, the depths are to be measured from a line stretched in a continuation of the deck. Breadths: divide each of those three depths into five equal parts, and measure the inside breadths at the following points; videlicet, at one-fifth and at four-fifths from the upper deck of the foremost and aftermost depths, and at two-fifths and four-fifths from the upper-deck of the midship depth. Length: at half the midship depth measure the length of the vessel from the afterpart of the stem to the forepart of the stern-post, then to twice the midship depth add the foremost and the aftermost depths for the sum of the depths; add together the upper and lower breadths at the foremost division, three times the upper breadth and the lower breadth at the midship division, and the upper and twice the lower breadth at the after division, for the sum of the breadths; then multiply the sum of the depths by the sum of the breadths, and this product by the length, and divide the final product by 3,500, which will give the number of tons for register. If the vessel have a poop or half deck, or a break in the upper deck, measure the inside mean length, breadth and height of such part thereof as may be included within the bulk-head; multiply these three measurements together, and dividing the product by 92.4 the quotient will be the number of tons to be added to the result as above found. In order to ascertain the tonnage of open vessels, the depths are to be measured from the upper edge of the upper strake.

Measurement of steam-vessels.

IX. And it is hereby provided, that in each of the several rules hereinbefore prescribed, when applied for the purpose of ascertaining the tonnage of any ship or vessel propelled by steam, the tonnage due to the cubical contents of the engine-room shall be deducted from the total tonnage of the vessel as determined by either of the rules aforesaid, and the remainder shall be deemed the true register tonnage of the said ship or vessel. The tonnage due to the cubical contents of the engine-room shall be determined in the following manner; that is to say, measure the inside length of the engine-room in feet and decimal parts of a foot from the foremost to the aftermost bulk-head, then multiply the said length by the depth of the ship or vessel at the midship division as aforesaid, and the product by the inside breadth at the same division at two-fifths of the depth from the deck taken as aforesaid, and divide the last product by 92.4, and the quotient shall be deemed the tonnage due to the cubical contents of the engine-room.

Alterations in steam-vessels requiring new registry

X. And it is hereby provided, that the tonnage due to the cubical contents of the engine-room, and also the length of the engine-room, shall be set forth in the certificate of registry as part of the description of the ship or vessel, and that any alteration of such tonnage due to the cubical contents of the engine-room, or of such length of the engine-room after registry, shall be deemed to be an alteration requiring registry de novo within the meaning of the said Act for the registering of ships or vessels.

Measurement of laden vessels.

XI. And it is hereby enacted, that for the purpose of ascertaining the tonnage of all such ships, whether belonging to the United Kingdom or otherwise, as there shall

shall be occasion to measure while their cargoes are on board, the following rule shall be observed, and is hereby established; (that is to say) measure first, the length on the upper deck between the after part of the stem and the fore part of the stern-post; secondly, the inside breadth on the underside of the upper deck at the middle point of the length; and, thirdly, the depth from the underside of the upper deck down the pump-well to the skin, multiply these three dimensions together, and divide the product by 130, and the quotient will be the amount of the register tonnage of such ships.

XII. And it is hereby enacted, that the true amount of the register tonnage of every merchant ship or vessel belonging to the United Kingdom, to be ascertained, according to the rule by this Act established in respect of such ships, shall be deeply carved or cut in figures of at least three inches in length on the main beam of every such ship or vessel prior to her being registered. Registered tonnage to be marked.

XIII. And it is hereby provided, that country craft employed in coasting voyages, not exceeding the burthen of 200 tons, may be registered, and the tonnage marked according to rules to be prescribed from time to time by the respective local Governments. Country craft not exceeding 200 tons.

XIV. And it is hereby enacted, that whenever the tonnage of any ship or vessel shall have been ascertained according to the rules herein prescribed, such account of tonnage shall ever after be deemed the tonnage of such ship or vessel, and shall be repeated in every subsequent registry of such ship or vessel, unless it shall happen that any alteration has been made in the form of burthen of such ship or vessel, or it shall be discovered that the tonnage of such ship or vessel had been erroneously taken and computed. Registered tonnage to be repeated in every subsequent register.

XV. And it is hereby enacted, that if such certificate as aforesaid shall be sold, lent or otherwise disposed of to any person or persons whatever than those for whose use it is granted, or shall be made use of for the service of any other ship or vessel than the ship or vessel for which it is granted, such certificate shall thenceforth be utterly void, and the master or any owner of the ship or vessel who shall be proved to have sold, lent or disposed of such certificate, or made use of the same as aforesaid, or shall have concurred in or been privy to the committing any such offence, shall be liable upon conviction by information as aforesaid to a penalty not exceeding 10,000 rupees; and in case such ship or vessel shall be lost or taken by the enemy, burnt or broken up, or otherwise prevented from returning to the port at which she is registered, or shall on any account have lost and forfeited the privileges of a British ship, or shall have been seized and legally condemned for illicit trading, or shall have been taken in execution for debt and sold by due process of law, or shall have been sold to the Crown or the East India Company, or shall under any circumstances have been registered de novo, the certificate, if preserved, shall be delivered up within one month after the arrival of the master in any port or place in the territories of the East India Company, to the registering officer at such port, in default whereof the master or any of the owners shall be liable on conviction by information as aforesaid in a penalty not exceeding 5,000 rupees; and if any person not being such subject as aforesaid shall purchase or otherwise become entitled to the whole or to any part or share of, or any interest in such ship or vessel, and the same shall be within the limits of any port of the territories of the East India Company, then and in such case the certificate of registry shall within seven days after such purchase or transfer of property in such ship or vessel be delivered up to the registering officer at such port, and if such ship or vessel shall be in any place not within the territories of the East India Company, when such purchase or transfer of property shall take place, then the certificate shall be delivered up within 14 days after the arrival of such ship or vessel, or of the master thereof, in any port of the territories of the East India Company, to the registering officer at such port, in default whereof the master or any of the owners shall be liable on conviction before any justice of the peace in a penalty not exceeding 5,000 rupees, recoverable in manner provided by Act No. II. of 1839. Fraudulent use of certificate.

XVI. And it is hereby enacted, that when and so often as the master of any ship or vessel registered in manner hereinbefore directed shall be changed, the master or owner of such ship or vessel shall deliver to the person or persons hereinbefore authorized to make such registry and grant such certificates of registry, at

the port where such change shall take place, if it be a port within the territories of the East India Company, the certificate of registry belonging to such ship or vessel, who shall thereupon indorse and subscribe a memorandum of such change, and shall forthwith give notice of the same to the proper officer of the port or place where such ship or vessel was last registered pursuant to this Act, who shall likewise make a memorandum of the same in the book of registers which is hereby directed and required to be kept, and shall forthwith give notice thereof in like manner as of the original entry; but if the change do not take place in any port within the territories of the East India Company, then such delivery, memorandum and indorsement shall be made and notice given at the first port within the territories of the East India Company at which the new master shall arrive after such change, in default of which delivery of the certificate such new master or any of the owners shall be liable, on conviction before a justice of the peace, to a penalty not exceeding 5,000 rupees, recoverable as aforesaid.

Name of ship

XVII. And it is hereby enacted, that it shall not be lawful for any owner or owners of any ship or vessel, to give any name to such ship or vessel other than that by which she was first registered in pursuance of this Act, and that the owner or owners of all and every ship or vessel which shall be so registered, shall, before such ship or vessel, after such registry, shall begin to take in any cargo, paint or cause to be painted, in white or yellow letters, of a length of not less than four inches, upon a black ground on some conspicuous part of the stern, the name by which such ship or vessel shall have been registered pursuant to this Act, and the port to which she belongs, in a distinct and legible manner, and shall so keep and preserve the same; and that if such owner or owners, or master or other person having or taking the charge or command of such ship or vessel, shall permit such ship or vessel to begin to take in cargo before the name of such ship or vessel has been so painted as aforesaid, or shall wilfully alter, erase, obliterate, or in anywise hide or conceal, or cause or procure or permit the same to be done, or shall in any written or printed paper, or other document, describe such ship or vessel by any name other than that by which she was first registered pursuant to this Act, or shall verbally describe, or cause or procure or permit such ship or vessel to be described by any other name to any officer or officers of revenue in the due execution of his or their duty, then and in every such case the certificate of registry shall thenceforth become utterly void, and such owner or owners, or master or other person having or taking the charge or command of such ship or vessel shall be liable on information as aforesaid to a penalty not exceeding 10,000 rupees.

Certificate of building

XVIII. And it is hereby enacted, that all and every person and persons who shall apply for a certificate of the registry of any ship or vessel shall, and they are hereby required to produce to the person or persons authorized to grant such certificate, a true and full particular, under the hand of the builder of such ship or vessel, or in case the want of such certificate can be satisfactorily accounted for, then to produce other sufficient evidence of the proper denomination, and of the time when and the place where such ship or vessel was built, and also an exact account of the tonnage of such ship or vessel, and shall also make and subscribe a declaration before the person or persons hereinbefore authorized to grant such certificate, that the ship or vessel for which such certificate is required, is the same with that which is so described by the builder as aforesaid.

Certificate lost or
mislaid.

XIX. And it is hereby enacted, that if the certificate of registry of any ship or vessel shall be lost or mislaid, so that the same cannot be found or obtained for the use of such ship or vessel when needful, and proof thereof shall be made to the satisfaction of the registering officer of the port at which the ship is registered, such officer shall and may, where the certificate shall have been lost or mislaid, permit such ship or vessel to be registered de novo, and a certificate thereof to be granted: Provided always, that if such ship or vessel be absent and far distant from the port to which she belongs, or by reason of the absence of the owner or owners, or of any other impediment, registry of the same cannot then be made in sufficient time, such registering officer shall and may grant a license for the present use of such ship or vessel, which license shall for the time and to the extent specified therein, and no longer, be of the same force and virtue as a certificate of registry granted under this Act: Provided always, that if the certificate of registry shall at any time afterwards be found, the same shall be forth-
with

with delivered to the proper officers of customs to be cancelled, and that no illegal use be made of the same, in default whereof the original certificate and the renewed certificate and license shall thenceforth become utterly void, and any person wilfully detaining the certificate so required to be cancelled, or making any illegal use thereof, shall be liable, on conviction before any justice, in a penalty not exceeding 5,000 rûpees, recoverable as aforesaid.

XX. And whereas it is not proper that any person under any pretence whatever should detain the certificate of registry of any ship or vessel, or hold the same for any purpose other than the lawful use and navigation of the ship or vessel for which it was granted, it is therefore hereby enacted, that in case any person who shall have received or obtained by any means or for any purpose whatever the certificate of the registry of any such ship or vessel (whether such person shall claim to be the master or to be the owner or one of the owners of such ship or vessel or not), shall wilfully detain and refuse to deliver up the same to the proper officers of customs, for the purposes of such ship or vessel, as occasion shall require, or to the person or persons having the actual command, possession and management of such ship or vessel as the ostensible and reputed master, or as the ostensible and reputed owner or owners thereof, it may and shall be lawful to and for any such last-mentioned person to make complaint on oath of such detainer and refusal to any justice of the peace residing near to the place where such detainer and refusal shall be, and on such complaint the said justice shall and is hereby required, by warrant under his hand and seal, to cause the person so complained against to be brought before him to be examined touching such detainer and refusal, and if it shall appear to the said justice on examination of such person or otherwise, the said certificate of registry is not lost or mislaid, but is wilfully detained by the said person, such person shall be subject on conviction before such justice to a penalty not exceeding 1,000 rupees, recoverable as aforesaid, and the said justice shall, and he is hereby required to certify the aforesaid detainer, refusal and conviction to the person or persons who granted such certificate of registry for such ship or vessel, who shall, on the terms and conditions of law being complied with, make registry of such ship or vessel de novo, and grant a certificate thereof conformably to law, notifying on the back of such certificate the ground upon which the ship or vessel was so registered de novo; and if the person who shall have detained and refused to deliver up such certificate of registry as aforesaid, or shall be verily believed to have detained the same, shall have absconded so that the said warrant of the justice cannot be executed upon him, and proof thereof shall be made to the satisfaction of the registering officer of the port at which the ship or vessel was registered, it shall be lawful for the said officer to permit such ship or vessel to be registered de novo, or otherwise in his discretion to grant a license for the present use of such ship or vessel in like manner as is hereinbefore provided in the case wherein the certificate of registry is lost or mislaid.

Detention of certificate

XXI. And it is hereby enacted, that if any ship or vessel after she shall have been registered pursuant to the directions of this Act, shall in any manner whatever be altered so as not to correspond with all the particulars contained in the certificate of her registry, or if any alteration shall take place in the ownership of any ship or vessel, or of any share or shares thereof, in such cases such ship or vessel shall be registered de novo in manner hereinbefore required, as soon as she returns to the port to which she belongs, or to any other port within the territories of the East India Company, on failure whereof such ship or vessel shall be deemed to be a ship or vessel not duly registered; and any person making use of a certificate for the purposes of any ship or vessel which has been granted in respect of the same, after the same ought to have been registered de novo, shall be liable on conviction before any justice to a penalty not exceeding 5,000 rupees, recoverable as aforesaid.

Registration de novo.

XXII. And whereas great inconvenience may arise from the registering officers being served with subpoenas, requiring them to bring with them and produce, on trials in courts of law relative to the ownership of vessels, or otherwise, the declarations required to be taken by the owners thereof, prior to the registering thereof, and the books of registry, or copies or extracts therefrom: And whereas it would tend much to the despatch of business if the attendance of such registering officers with the same upon such trials were dispensed with; it is therefore hereby enacted, that the registering officer at any port or place, and the person or

Testimony of registering officers

persons acting for them respectively, shall, upon every reasonable request by any person or persons whomsoever, produce and exhibit for his, her or their inspection and examination, any declaration made by any such owner or owners, and also any register or entry in any book or books of registry required; and shall upon every reasonable request by any person or persons whomsoever, permit him, her or them to take a copy or copies, or an extract or extracts thereof respectively; and that the copy or copies of any such oath or declaration, registry or entry, shall, upon being proved to be true copy or copies thereof respectively, be allowed and received as evidence upon every trial at law, without the production of the original or originals, and without the testimony or attendance of any registering officer, or other person or persons acting for them respectively, in all cases, as fully and to all intents and purposes as such original or originals if produced by any registering officer, or other person or persons acting for them, could or might legally be admitted or received in evidence.

False declaration
Falsifying documents.

XXIII. And it is hereby enacted, that if any person or persons shall falsely make declaration to any of the matters hereinbefore required to be verified by declaration, or if any person or persons shall counterfeit, erase, alter or falsify any certificate or other instrument in writing required or directed to be obtained, granted or produced by this Act, or shall knowingly or wilfully make use of any certificate or other instrument so counterfeited, erased, altered, falsified, or shall wilfully grant such certificate or other instrument in writing, knowing it to be false, such person or persons shall for every such offence be liable on conviction, upon information as aforesaid, to a penalty not exceeding 10,000 rupees; and if any such offence be committed by the owner of any ship or vessel, the certificate of such ship or vessel shall thenceforth be wholly void.

Ships of native states.

XXIV. And it is hereby enacted, that when any ship or vessel duly registered under this Act, or sailing under the British Navigation Law, shall come to be owned by a native Prince or State, or by any subject of such native Prince or State as aforesaid, it shall be lawful for the Governor of Fort William in Bengal, or for the Governor in Council of any Presidency, to continue to such ship or vessel the privileges and advantages of a British ship for the purposes aforesaid, by a pass to be issued under the Company's seal, and subscribed by a secretary to Government, stating the voyage or voyages for which the same is to have effect, and the period for which it is to last; and it shall be lawful for the Governor of Fort William in Bengal, or the Governor in Council of any Presidency, to issue a similar pass, conferring the privileges and advantages of a British ship for the purposes aforesaid under this Act, to any ship or vessel built within the dominions of such native Prince or State, and owned by such Prince or State, or by any of their subjects: Provided always, that the ships belonging to native Princes or States, or their subjects, in respect of which passes may be granted under this Act, shall, during the voyage or voyages, or the period for which any such pass shall be granted, be commanded by a subject of Her Majesty for whom the Governor-general in Council has power to legislate.

Fees.

XXV. And it is hereby enacted, that the fees demandable in respect of the granting any certificate or pass under this Act shall be fixed from time to time, according to the directions of the Governor-general in Council, but so that the same shall not exceed the amount of fees now payable for registering or granting passes to ships or vessels at the different Presidencies.

Ports to which ships belong.

XXVI. And it is hereby declared and enacted, that all ships or vessels registered under this Act, shall be deemed to belong to the ports at which they shall be respectively registered; and all ships or vessels being registered, or in respect of which passes may have been granted which are unexpired at the time of passing this Act, shall, for the purpose of being deemed British ships, be deemed to belong to the ports at which they may have been registered, or when passes shall have been granted which are unexpired, at which such passes may have been respectively granted; and such ships or vessels built and owned as required by the Statute 3 & 4 Vict. c. 56, shall continue subject to all the rules in force at the respective Presidencies before the passing of this Act, touching the registering, measurement, granting passes or other requisitions in respect of the same, and shall not be subject to the provisions of this Act, or any provisions of the statute law, a compliance with which may heretofore have been necessary, in order that ships or vessels built and owned as aforesaid might be deemed British ships for the purposes of trade.

PROCLAMATION.

PROCLAMATION.

THE Governor-general of India in Council hereby declares that all ships and vessels built or to be built within the limits of the charter of the East India Company (as those limits are defined by the statute 3d and 4th of Queen Victoria, cap. 56, intituled, "An Act further to regulate the Trade of Ships built and trading within the Limits of the East India Company's Charter,") being owned by Her Majesty's subjects, for whom the said Governor-general in Council has power to legislate, and belonging under the provisions of the Act passed by the Governor-general in Council, No. X. of 1841, to any ports in the territories under the government of the East India Company, shall be deemed to be British ships for all purposes of trade within the said limits, including the Cape of Good Hope and the territories and dependencies thereof.

ACT No. XIII. of 1841.

Passed by the Right Honourable the Governor-General of India in Council, on the 16th August 1841.

AN ACT for explaining the Provisions of Act No. XXV. of 1836.

I. It is hereby declared and enacted, that the import duty on wine and spirits in casks shall be settled on the quantities registered at the time of importation, without any deduction whatsoever: Provided always, that the keeper of every warehouse indicated by Act No. XXV. of 1836, shall, in accounting with the customs department for the article so warehoused, be allowed ullage on such wine and spirits at the rate of 10 per cent. for one year according to the time for which such wine and spirits shall have been lodged.

ACT No. XVIII. of 1841.

Passed by the Right Honourable the Governor-General of India in Council, on the 30th of August 1841.

AN ACT for Consolidating and Amending the Enactments concerning the Exportation of Military Stores.

I. It is hereby enacted, that arms, ammunition and military stores (with the exception of arms in the possession of individuals for private use) shall not be exported or otherwise taken from the territories of the East India Company, without a license from a public officer or officers for each Presidency, to be indicated by the Governments of the respective Presidencies, for the purpose of granting such licenses, and a full compliance with all such rules and conditions as may be prescribed for the guidance of such officer or officers in regard to such exports by the aforesaid Governments respectively; and any arms, ammunition or military stores which any person shall export, or attempt to export, or take as aforesaid, contrary to this Act, shall thereby become forfeited, on the award of the officer or officers authorized as aforesaid to grant licenses, or the collector of customs, and every person offending in the premises contrary to this Act shall be liable, on conviction before a magistrate, to a penalty not exceeding 500 rupees.

II. And it is hereby enacted, that any person who shall collect or keep in one place, or within places not exceeding three miles in distance from each other, any quantity of gunpowder exceeding fifty pounds, without a license from such officer as aforesaid, shall be liable, on conviction before a magistrate, to a penalty not exceeding 500 rupees, and such gunpowder shall become forfeited on the award of the officer or officers authorized to grant licenses as aforesaid, or the collector of customs.

III. And it is hereby enacted, that it shall be lawful for any of the Governments aforesaid, to allow at any port or ports, the exportation of arms, ammunition and military stores as aforesaid, without any such license as aforesaid, as they shall deem expedient.

ACT No. XXIII. of 1841.

Passed by the Right Honourable the Governor-General of India in Council,
on the 11th October 1841.

AN ACT for prohibiting the Importation of Rum and Rum Shrub into the
Presidency of Fort St. George in Madras.

I. It is hereby enacted, that if any person after the passing of this Act, lands or attempts to land, or shall introduce by land in any part of the territories subject to the Government of the Presidency of Fort St. George in Madras, any rum or rum shrub, which is the produce of any foreign country, or of any British possession into which foreign sugar or rum can be legally imported, such rum or rum shrub shall be seized by the collector of the customs, or by any other officer authorized to seize and detain contraband goods, and shall be brought to confiscation according to the rules in force for confiscating such goods, unless the district in which such rum or rum shrub is landed, or in which an attempt has been made to land such rum or rum shrub, be a district in which the Governor in Council has authorized the importation of such rum or rum shrub; and it shall be lawful for the Governor in Council to authorize the importation of such rum and rum shrub into any district of the territories aforesaid by an order in the official Gazette.

II. And it is hereby enacted, that if any owner of rum or rum shrub, the produce of the said territories, or the duly authorized agent of such owner, be desirous to obtain a certificate of origin from the collector or assistant collector of the land or customs revenue of any district within the said territories, or from any other officer appointed by the Governor in Council to give such certificates, such owner or agent shall, in the presence of the officer from whom he desires to obtain such certificate, make and subscribe a declaration in the form contained in the Schedule hereunto annexed marked A., and to the said declaration shall be appended a certificate to its verity from any Government officer who may be attached to the distillery where such rum or rum shrub is declared to have been manufactured, in the form prescribed in the said Schedule A.

III. And it is hereby enacted, that if the district be one into which the Governor in Council has not by any order authorized the importation of foreign sugar or rum, or of sugar or rum the growth or produce of any British possession into which foreign sugar or rum can be legally imported, then the officer before whom such a declaration as is aforesaid shall have been made, shall grant under his hand and seal to the declarant a certificate, in the form contained in the Schedule hereunto annexed marked B.

IV. And it is hereby enacted, that every person who intends to ship rum or rum shrub from any place within the said territories for any part of the United Kingdom, shall be entitled to produce to the collector of customs at that place, or to any other officer who may have been appointed by the Governments of the respective Presidencies to act on that behalf in place of the collector of customs, a certificate, such as is above described, and also in the presence of the officer to whom he has so produced such certificate, to make and subscribe a declaration in the form contained in the Schedule hereunto annexed marked C.

V. And it is hereby enacted, that the officer to whom such a certificate shall have been so produced, and before whom a declaration in the last-mentioned form shall have been so made and subscribed, shall, unless he see cause to deem such declaration fraudulent and untrue, grant to the person who has made the last-mentioned declaration a certificate, in the form contained in the Schedule hereunto annexed marked D.

VI. And it is hereby enacted, that the owner of rum or rum shrub intended for exportation under this Act, or the duly authorized agent of such owner, shall not be entitled to any of the certificates described in this Act, unless such rum or rum shrub shall be the produce of a distillery worked according to law in the European method, under license from the Board or other authority vested with the management of the Revenue derived from the abkarry or tax on spirits.

VII. And it is hereby enacted, that the rum and rum shrub manufactured for exportation to the United Kingdom under this Act at any licensed distillery, shall

be

be manufactured pure without admixture of spirits made from rice, grains or any other substance or substances not being the produce of the sugar-cane or of the date or palm-tree, and shall be so declared and verified at the time of application for a certificate of origin according to the form of Schedule A.

VIII. And it is hereby enacted, that if any rum or rum shrub that may be brought to any custom-house for exportation under this Act, shall be found to be adulterated or mixed contrary to the above prohibition, the same with the casks or materials in which it is contained shall be seized and confiscated, and the party or parties upon whose declaration certificate of manufacture free from adulteration or mixture may have been granted, for the admission of such rum or rum shrub to the privilege of exportation under this Act, as well as the party or parties who may have verified such declaration, shall be proceeded against for the false and fraudulent declaration as hereinunder prescribed.

IX. And it is hereby enacted, that any person who shall, in making any declaration under the authority of this Act, knowingly affirm an untruth, shall on conviction thereof before such court as would be competent to try such person for perjury, be punished as in cases of perjury; and every person procuring another person to affirm such untruth, shall be liable to be punished as in cases of subornation of perjury; and any officer of Government subscribing an attestation to the verity of such declaration, knowing the same to be untrue, shall be subject to a like penalty as the false declarant, besides dismissal from the employment of Government

X. And it is hereby provided, that notwithstanding any thing in this Act contained, no person intending to manufacture rum or rum shrub within the Presidency of Madras, shall establish a distillery for such purpose without making application for a license in manner directed by Regulation I of 1820 of the Madras Code; and every person manufacturing rum or rum shrub within the Madras Presidency, without having first obtained such license, shall be liable to the penalties provided in that Regulation.

SCHEDULE A.

I, A. B., solemnly declare that all the rum or shrub hereunder described is the produce of the licensed distillery named _____ in the district of _____ and that the said rum or rum shrub is the produce of the sugar-cane, date or palm-tree, and wholly free from any admixture of spirits manufactured from rice, grains or any other substance whatever.

(signed) A. B.

The _____ day of _____ 18 _____

* I, B. B., Government officer in charge on the part of Government of the distillery, do hereby certify that the above is a true and correct declaration

(signed) B. B.

Govt. Officer attached to the _____ Distillery.

Description of the _____ to which the above Declaration relates

Quantity in Gallons.	Quality	Average Strength by Sykes's Hydrometer.	Number and Denomination of Packages	Marks on Packages

(signed) A. B.

The _____ day of _____ 18 _____
Collector's number _____
Collector's date _____ of _____ 18 _____

(signed) Y. Z., Collector.

Seal of the Collector.



SCHEDULE

* This declaration must be drawn out before the rum leaves the distillery, in order that the attestation of the Government officer may be attached.

SCHEDULE B.

I, C. D., collector of land revenue (or collector of custom revenue, or being an office appointed by the Governor in Council to act in this behalf) for the district of _____ do hereby, in conformity with the provisions of Act _____ grant this certificate under my hand and seal, that the rum or rum shrub described in the declaration hereunto annexed, which is sealed with the seal of this office, numbered _____ of _____ 18 _____, dated the _____ of _____ 18 _____ and signed by _____ manager or owner of the licensed distillery called _____ is the produce of the district of _____ and is declared to be free from any admixture of spirits manufactured from other substance than the sugar-cane, date or palm-tree, and that the importation of foreign sugar and rum, and of sugar and rum the growth or produce of any British possessions into which foreign sugar and rum can be legally imported, is prohibited in the said district of _____.

(L. s.) _____ (signed) C. D.
 This _____ day of _____ 18 _____

SCHEDULE C.

I, E. F., shipper of the rum or rum shrub hereinunder described, solemnly declare, that all the rum or rum shrub hereinunder described, is, to the best of my knowledge and belief, the same rum or rum shrub to which the certificate now produced by me relates.

(signed) E. F.

Description of _____ to which this Declaration relates.					
Quantity in Gallons.	Quality.	Average Strength by Sykes's Hydrometer	Number and Denomination of Packages.	Name of Ship or Vessel.	Name of Master of Ship or Vessel.

The _____ day of _____ 18 _____ (signed) E. F.

SCHEDULE D.

I, R. W., collector of customs (or being an officer appointed by the Governor in Council to act in this behalf) for the port of _____, certify under my hand and seal, that there has been produced to me by E. F., the shipper of the rum or rum shrub hereinunder described, a certificate under the hand and seal of C. D., collector of land revenue (or collector of custom revenue, or being an officer appointed by the Governor in Council to act in this behalf) for the district of _____, in the territories forming part of the Presidency of Fort St. George, which certificate certifies that the said rum or rum shrub is of the produce of the said district, and is declared to be free from any admixture of spirits manufactured from other substance than the sugar-cane, date or palm-tree, and that the importation of foreign sugar and rum, or sugar and rum the growth or produce of any British possession into which foreign sugar and rum can be legally imported, is prohibited in the said district.

(L. s.) _____ (signed) R. W.
 Collector of Customs.

The _____ day of _____ 18 _____
 Description of the _____ to which the Certificate relates.

Quantity in Gallons	Quality.	Average Strength by Sykes's Hydrometer	Number and Denomination of Packages.	Name of Ship or Vessel.	Name of Master of Ship or Vessel.

(signed) R. W.
 Collector of Customs.

ACT No. IV. of 1842.

Passed by the Honourable the President of the Council of India in Council, on the 22d July 1842, with the Assent of the Right Honourable the Governor-General of India.

For the better Management of Boats and Catamarans in the Madras Roads, and for the Amendment of certain Harbour Regulations.

I. WHEREAS it is expedient to make regulations for boats and catamarans employed in the Madras roads, with a view to the better preservation of good order, the prevention of smuggling, and the general protection of life and property, and whereas certain rules now in force for the harbour of Madras require amendment :

It is hereby enacted, that from and after the 1st day of September next, no person either as owner or servant shall use or employ, or be employed in any boat or catamaran to carry passengers, goods or letters, to or from any ship or vessel lying in the Madras roads and shore, unless such owners or owner of boats and catamarans shall have previously received a license, and unless the boat or catamaran which such owners or owner, servants or servant shall so use, has been registered as hereinafter mentioned, and in case any person who has not received such license shall employ or be employed in a boat or catamaran for the purposes aforesaid, or such boat or catamaran shall not have been so registered, such person shall be liable to a fine not exceeding the sum of 50 rupees on conviction before a justice of the peace, as that justice shall direct, and the boat or catamaran shall be liable to be seized by the orders of any justice of the peace and forfeited.

II. And it is hereby enacted, that upon the master attendant being satisfied that any such boat is of the proper dimensions and capacity, and that the same is seaworthy, and of a proper quality for the purposes aforesaid, and upon the application of the owner of any such boat or of any catamaran, and upon such owner delivering to him a written paper signed by such owner, specifying his name, occupation and place of residence, and the names and places of residence of all such boatmen or other persons as shall be employed by such owner in and about the navigation and management of such boat as particularly as may be, and also subscribing to a declaration in writing that he fully understands all the provisions of this Act, and those contained in the subsidiary rules to the same Act, it shall and may be lawful, and the said master attendant is hereby required to grant to such owner a license so to use the same, in which license (if of a boat) shall be expressed the dimensions, the number of passengers or the quantity of goods which such boat shall be permitted to take and carry, and every such license shall also contain a number for such boat or catamaran, and the name or names, occupation or occupations, and place or places of residence of the owner or owners thereof, and the number of the servants or crew who shall be used or employed to row or navigate the same, and their names and places of residence respectively, all of which particulars shall be entered in a book or registry for that purpose to be kept by the master attendant, and so often as the property in any such boat or catamaran, or any share of the same shall be transferred, every owner of such boat or catamaran shall produce his license before the said master attendant, and such new owner shall also deliver to him a written paper signed by such new owner, specifying his name, occupation and place of residence, and the names and places of residence of all such boatmen or other persons as he shall employ, or propose to employ in and about the navigation and management of such boat, as particularly as may be, and shall also subscribe to a declaration in writing that he fully understands all the provisions of this Act, and those contained in the subsidiary rules to this Act, all which said particulars shall be duly entered by the said master attendant in a new registry to be made by him of such boat or catamaran, and thereupon a new license to use such boat or catamaran, expressing and containing the same particulars as are hereinbefore provided to be expressed in the original license, shall be granted by the said master attendant, and whenever any such owner or owners, or any of the boatmen or other persons employed to manage or navigate any such boat or catamaran shall change his or their place

of abode, notice of such change of abode shall be delivered to the said master attendant by the said owner, in order that such new place of abode may be entered in the registry and license; in wilful neglect or default of which notice of change of ownership, or of the persons employed to row or navigate any such boat, or of his or their or any or either of their change of residence, for the space of six days after any such change of residence, the owner shall forfeit a sum not exceeding 50 rupees on conviction before a justice of the peace, as that justice shall direct, and for every such new registration to be made by the said master attendant as aforesaid, he shall be entitled to charge by way of fee the sum of one rupee, and for every new license thereof the sum of one rupee.

III. And it is hereby enacted, that in order to enable the said master attendant to grant a correct license of the registry of every such boat previous to the registry of any boat requiring such license, the said master attendant or his deputy shall, in the presence of the owner of every such boat, or any other person duly appointed by such owner, cause each such boat to be surveyed and measured, and in case the same shall not in the judgment of the said master-attendant or his deputy be of the proper dimensions and capacity, and seaworthy, and of the proper quality for the purposes aforesaid, no registry shall be made nor license be granted, until every such defect in the admeasurement, seaworthiness and quality of the said boat shall have been rectified by the owner thereof, and for every such survey and admeasurement a fee of three rupees shall be paid by the owner of any such boat to the said master attendant.

IV. And it is hereby enacted, that the said owner or owners of every such boat shall forthwith paint in black English figures, not less than six inches in length upon a white ground, such white ground having a margin of at least three inches beyond the outermost part of the figures, on a conspicuous part of the bow on one side and of the quarter on the other, and in a legible and distinct manner from left to right, the number in such registry and license mentioned; and if any person shall fraudulently paint or counterfeit, or cause or permit to be painted or counterfeited upon any boat, any figure not having been duly registered, every such person shall forfeit the sum of 100 rupees, and every such boat shall also be forfeited.

V. And for the better prevention of fraud or omission in the painting the figures hereinbefore provided to be painted on all boats let out for hire, as well as for the better distinguishing and identifying such boats and catamarans as have been registered and licensed, it is hereby enacted, that so often as any registry is made, the said master attendant shall cause the number in the same to be cut or branded in the most common native characters, in some part or parts of every such boat and catamaran; and if the owner or owners of any such boat shall neglect or refuse to keep painted, cut or branded any figure hereinbefore required to be painted, cut or branded on any such boat or catamaran, in a fair and legible condition, or if he shall paint, cut or brand the same in a different manner or on a different part of such boat than is hereinbefore provided, or shall wilfully erase, obliterate or in any way hide or conceal the same, or if the owner of any such boat or catamaran shall knowingly permit any such act to be done, he shall forfeit a sum not exceeding 100 rupees, on conviction before a justice of the peace as that justice shall direct, and if any person not being such owner shall be guilty of, or shall assist in any such incorrect painting, cutting, branding, erasure or concealment, he shall forfeit one moiety of the penalty in this Article imposed.

VI. And it is hereby enacted, that every boat of the description and dimensions now in use (that is to say) not more than 33 feet in length, nine feet in breadth, and four feet four inches in depth, nor less than 30 feet in length, six feet in breadth, and three feet six inches in depth, which shall be so licensed and registered as aforesaid, shall be manned with not less than two steersmen, eight rowers and one baler, and shall if required, be obliged to carry at one time any number of passengers not exceeding 15, or any quantities of goods not exceeding the quantity mentioned in the Schedule A. hereunder written; and in case boats of different construction and dimensions shall be licensed and registered, they shall be manned in such manner, and shall be obliged to carry such passengers or such a quantity of goods as the master attendant shall direct, and shall express in the license, under the penalty of 50 rupees.

VII. And

VII. And it is hereby enacted, that if any boat be loaded with passengers or cargo beyond the number or quantity specified in the license granted to such boat, the tindal of such boat shall be liable to a fine not exceeding five rupees, on conviction before a justice of the peace for every such surplus passenger, and for every candy-weight of such cargo beyond such specified quantity, and the owner of such boat shall be liable to a fine of 50 rupees, on conviction before a justice of the peace, for every such surplus passenger or surplus candy-weight of cargo, and every person other than the tindal or owner who shall be guilty, either as principal or accessory of the like offence of overloading any boat, shall be liable to a fine of 10 rupees, on conviction before a justice of the peace, for every such surplus passenger or surplus candy-weight of cargo.

VIII. And it is hereby enacted, that no boat or catamaran so licensed shall leave the shore before gun-fire in the morning, nor after five o'clock in the afternoon, nor shall remain alongside any ship or vessel after six o'clock in the afternoon, without leave from the master attendant or his deputy, who shall be at liberty to prevent any boat or catamaran from putting off to or from the shore, when in his judgment the doing so would be attended with danger, on which occasions the master attendant shall hoist at the mast-head of his flag-staff the following flags; viz, the white pendant with a red ball under a red and white chequered flag; and in case any person offend against this clause, he shall be liable on conviction before a justice of the peace to forfeit and pay a sum not greater than 30 rupees.

IX. And it is hereby enacted, that on the 15th day of December in every year, the owners of boats and catamarans which shall have been so licensed and registered as aforesaid, shall expose them and their crews on the beach for the inspection of the Marine Board, and the master attendant shall once in every month or oftener, and as often as he may think necessary, require the owner of the said boats and catamarans, or any one or more of them, to expose them and their crews on the beach for his inspection, and in case any owner shall neglect or refuse so to expose a boat or catamaran belonging to him, and in case on any boat or catamaran being so exposed, the master attendant shall deem it unseaworthy, or that its crew is in an inefficient state, he shall suspend the license granted in respect thereof until the said boat or catamaran shall have been repaired, and the crew rendered efficient to the satisfaction of the master attendant; and it is hereby declared, that in case the owner of any such boat or catamaran shall refuse or neglect to make such necessary repairs to the same, and to render efficient the crew thereof within one month after such inspection, the license shall altogether be withdrawn from such boat.

X. And it is hereby enacted, that grain shall be landed within the space between the north angle of the custom-house and Clive's Battery, and all other goods, excepting timber, shall be landed within the space between the north angle of the custom-house and the south angle of Bentinck's-buildings, and that timber may be landed any where if the permission of the collector of sea customs be first obtained, and if such permission shall not have been obtained, it shall be landed within the space between the north angle of the custom-house and Clive's Battery, and in case any person shall land or be engaged in attempting to land any goods otherwise than as before directed, every such person shall be liable to pay on conviction before a justice of the peace a sum not greater than 100 rupees as that justice of the peace shall determine.

XI. And it is hereby enacted, that all vessels other than those commonly known as native vessels or donies shall anchor in the South Roads, the north angle of the fort being one point, and the master attendant's flag-staff the other, and all vessels commonly known as native vessels or donies shall anchor in the North Roads, the north angle of the custom-house being the southern, and the village of Royapooram the northern point, and the owner of any licensed boat or catamaran, on holding (except at the request of the master attendant) communication with a vessel which shall be anchored otherwise than as aforesaid, shall on conviction thereof before a justice of the peace, be liable to pay a sum not greater than 10 rupees, as such justice of the peace shall direct.

XII. And it is hereby enacted, that the owner or owners of all boats and catamarans kept for the purpose of being commonly let out for hire, shall, when the same shall not be engaged in doing actual service for hire, by themselves or their

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agents give daily attendance at the boat-office from five A. M. until six P. M. so as to be ready to provide, upon immediate notice, their boats or catamarans for service or hire, and that for any neglect in so giving attendance (unless occasioned by sufficient excuse) such owners shall be punishable by a justice of the peace on conviction by a fine not exceeding 10 rupees.

XIII. And it is hereby enacted, that if any owner of a boat or catamaran so licensed, or any person deputed by him, shall demand a rate of hire beyond that which is sanctioned by Schedule B. under the several circumstances and restrictions therein provided for, he shall on conviction before a justice of the peace forfeit the sum of 10 rupees, together with the amount of such hire.

XIV. And it is hereby enacted, that any owner of a boat or catamaran so licensed, "and kept or employed for the purpose of being let out commonly on hire," or any person deputed by him, refusing to let on hire such boat or catamaran, for public or private use, and within the hours and in the terms specified in the Schedule B. to this Act, without assigning such cause for his refusal as shall be deemed satisfactory or reasonable to the justice of the peace trying such offence, will, on conviction before a justice of the peace, be liable to the penalty of 20 rupees, and for a second refusal to a fine of 100 rupees, and to the forfeiture of his license

XV. And it is hereby enacted, that if any boatman or boatmen serving in any boat or catamaran kept and employed for the purpose of being let out commonly on hire to carry passengers, cargo or letters, shall by wilful neglect or desertion of his duty, cause any impediment to the service of any such boat or catamaran, he or they shall for the first offence be liable to receive corporal punishment not exceeding three dozen lashes, on conviction before a justice of the peace, and if life shall have been thereby endangered, or in case of a second offence, he or they shall be committed to hard labour for a term not exceeding six months.

XVI. And it is hereby enacted, that the owners of boats and catamarans, which are kept or employed for the purpose of being commonly let out for hire, shall keep and provide for service during the night, that is to say, from six o'clock in the afternoon until six o'clock in the morning at least, ten boats and four catamarans with their respective crews, according to a course of rotation to be specified by the master attendant on the first day of every current month, and to be notified in writing on some conspicuous part of his office, as regards the particular nights for the attendance of particular boats and catamarans, and every owner of any such boat or catamaran who shall fail to provide his boat or catamaran, without assigning such excuse for such failure as shall be deemed satisfactory or reasonable to the justice of the peace trying such offence, shall, if the owner of a boat, on conviction before a justice of the peace, be liable to a penalty of 20 rupees, and for a second offence to the penalty of 50 rupees, and if the owner of a catamaran, be liable to the penalty of five rupees, and for a second offence to the penalty of 10 rupees.

XVII. And it is hereby enacted, that every boat kept and employed for the purpose of being commonly let out for hire as aforesaid, shall be kept well and completely dunnaged and seaworthy, and in default thereof, the owner or owners of every such boat or boats shall, upon conviction before a justice of the peace, forfeit for each instance of neglect the sum of five rupees, and if any goods or cargo shall have received injury or damage thereby, the sum of 20 rupees, besides and over and above any legal liability to compensate such loss, and if life shall have been endangered thereby, a sum not exceeding 100 rupees, and also be liable at the discretion of such justice to have his license for such boat revoked.

XVIII. And it is hereby enacted, that if any communication by boat or catamaran is held with any ship or vessel in the offing, or beyond the limits of the anchorage before the master attendant's report boat or catamaran has boarded such ship or vessel, the owner of such boat or catamaran shall forfeit the sum of 20 rupees, and if any attempt is made to hold such a communication without the permission of the master attendant, he will incur a penalty of 10 rupees.

XIX. And it is hereby enacted, that it shall be lawful for the master attendant or his deputy, the collector of sea customs or his deputy, and all sitting magistrates and qualified justices of the peace, or such person or persons as he
or

or they shall by warrant under their hands duly authorize for that purpose from time to time, to go on board any boat or catamaran, and to search all parts of such boat or catamaran for prohibited or uncustomed or smuggled goods, and also to examine into all packages, boxes or baggage of whatever description, within or upon such boat or catamaran or landed therefrom, provided such master attendant or his deputy, or other person to be appointed as aforesaid, shall have good reason to suppose that any such package, box or baggage contains any smuggled or prohibited goods; and they shall likewise have power and authority to search any person or persons on board any such boat or catamaran, or who may have landed therefrom, provided such master attendant or his deputy, or other person appointed as aforesaid, shall have good reason to suppose that such person or persons hath or have any uncustomed, smuggled or prohibited goods secreted about his or her person: Provided always, that no female shall be searched by any other person than a female, duly authorized for that purpose by the collector of customs: And it is hereby further enacted, that if any person shall resist to impede any or either of the said parties hereinbefore authorized to go on board, examine and search as hereinbefore provided in the execution of their duty, or in any manner prevent the performance of such duty, every such person shall be liable, according to the circumstances of the case and the quality of the party offending, upon conviction before a justice of the peace, to fine not exceeding 100 rupees, or to imprisonment with or without hard labour on the roads or otherwise, for a period not exceeding six months, and in case any such offence be committed by any owner of a boat or catamaran, such owner shall likewise forfeit his license.

XX. And it is hereby enacted, that the Sections III., IV., VII., VIII., IX. and X. of the Rule, Ordinance and Regulation passed by the Governor in Council of Fort St. George, commonly called the Marine Police Regulation, be hereby cancelled and repealed.

XXI. And it is hereby enacted, that the jurisdiction and authority ordained to be exercised by the master attendant and deputy master attendant for the time being of the port of Madras, jointly or severally as justices of the peace, by virtue of the hereinbefore recited Regulation, shall and may be exercised (as regards such parts of the said Regulations not hereinbefore repealed), by any justices of the peace in and for the Presidency of Madras in like manner jointly or severally.

XXII. And it is hereby further enacted, that every person whatever who, either as owner or servant, shall use or employ, or be employed in any boat or catamaran in the Madras Roads, shall be amenable to Sections, XI., XII. and XIII. of the above recited Regulation.

XXIII. And it is hereby further enacted, that Section XXXVI. of the above recited Regulation shall hereafter apply to the fixing up at the offices therein mentioned copies of the same, omitting all other notice of those sections thereof which are by this Act repealed, save that the same are so repealed.

XXIV. And it is hereby enacted, that all pecuniary forfeitures and penalties had or incurred under or against this Act, shall and may be heard and determined by any justice of the peace of the town of Madras, who is hereby empowered and authorized to hear and determine the same, and to issue his summons or warrant for bringing the party or parties complained of before him the said justice, and upon his, her or their appearance, or contempt and default, to hear the parties, examine witnesses, and to give judgment or sentence according as in and by this Act is directed; and it is hereby further declared, that it shall be lawful for any justice who may have adjudged any pecuniary penalty under the provisions of this Act, to award and issue out a warrant or warrants under his or their hands and seals, for the paying of such forfeitures and penalties as may be imposed or adjudged upon the goods and chattels of the offender, and cause sale to be made of the same if they shall not be redeemed within six days, rendering to the party the overplus, if any, after deducting the amount of such forfeiture or penalty, and the costs and charges attending the levying thereof, and in case sufficient distress shall not be found, and such forfeitures and penalties shall not be forthwith paid, it shall and may be lawful for the justice as last aforesaid, and he is hereby authorized and required, by warrant or warrants under his hand and seal, to cause such offender or offenders to be committed to prison, there to remain for any time

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not exceeding six months, unless such forfeitures and penalties and all reasonable charges shall be sooner paid and satisfied, and that all the said forfeitures when paid and levied, shall, after deducting all necessary charges, and also a compensation not exceeding one-third, to be settled and ascertained by the said justice before whom the conviction may take place, and to be given to the officer or other persons giving information and prosecuting, to be applied and disposed of according to the directions of the Honourable the Governor in Council.

SCHEDULE A.

SCHEDULE of Articles composing a Boat-load.

I. Goods taken by Weight or Measurement.—These Articles are computed at Two Tons to a Boat-load.

ARTICLES	Packages	Fair Weather.	Foul Weather or High Surf	REMARKS.
Benjamin	boxes	25	20	small.
	bundles	60		
	chests	12		half.
Biscuit	bags	30		
Boat Oars	No.	100		
Boots and Shoes	cases	8	6	small.
		6	4	large.
Butts	No.	3	2	
		8	6	large.
Broad Cloth	bales	10	8	large.
		12	10	middling.
				small.
Button	cases	6	4	
Beef	tierces	8		
	hogshead	6		
Carriage	No.	1		
Cotton, screwed	bales	8		of 300 lbs.
		10		250 "
		12		150 "
Ditto, loose	bags	16		
Codyoor Nuts	bundles	10	8	
	No.	1,000		with husk.
Cocoa Nuts		1,500		without ditto
	bags	25		small.
		20		large.
Chests	No.	4	3	12 dozen.
Ditto, half	ditto	8	6	6 ditto.
Canvas	bales	4	3	20 bolts each
		8	6	3 corges each.
Clothing	ditto	10	8	2 - ditto
		12	10	1 - ditto
		20	15	
Cheacoy	bundles	20	15	
Chillies	ditto	20	15	
Choya Root	ditto	6		large
		8		small.
Cochineal	boxes	12	10	
Cinnamon	bags	35	30	
Camphire	boxes	12		
Cloves	bags	40		80 lb. weight each bag
Curry Stuff Seeds	ditto	25	20	Ramiapatam bags.
Dates	ditto	35	25	when from Bombay.
Ditto	tons	2	1½	when the packages are various.
Drugs	bags	12	10	
Eating Leaves	bundles	40		
Flour	casks	8	6	
Grain	bags	20		shipping.
		25		landing
	ditto	25		shipping.
Glass Ware		30	25	landing
	chests	6		whole
Gunny		12		half.
	bundles	6		large.
Gunpowder		12		small.
	barrels	25		100 lbs. each.
Gallingale		30		60 - ditto.
	bundles	25		

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SCHEDULE A.—continued.

ARTICLES.	Packages.	Fair Weather.	Foul Weather or High Surf.	REMARKS
Gin - - - - -	cases - - -	30	- - -	{ complete with wheels, from 3 to 24 pounds.
Gun Carriage - - - - -	No. - - -	1	- - -	
Ginger, Dry - - - - -	bags - - -	30	- - -	
Hay - - - - -	bales - - -	8	6	
Horns - - - - -	No. - - -	1,000	- - -	
Hogsheads - - - - -	ditto - - -	6	4	
Hams - - - - -	ditto - - -	120	- - -	whole half.
Indigo - - - - -	chests - - -	8	- - -	
Leaguers - - - - -	No. - - -	12	- - -	
Nankeen - - - - -	boxes - - -	2	- - -	
Nuts - - - - -	boxes - - -	20	- - -	
Pickle, Europe - - - - -	bags - - -	30	20	
Pickles, Europe - - - - -	boxes - - -	30	20	
Palanquin - - - - -	No. - - -	1	- - -	
Piece Goods - - - - -	bales - - -	6	- - -	large 3 and } bales for small 4 } China.
		8	- - -	
Pumpkins - - - - -	No. - - -	100	- - -	large
Punchons - - - - -	ditto - - -	250	- - -	small.
Pipes - - - - -	ditto - - -	4	3	
Ditto half - - - - -	ditto - - -	3	2	
	ditto - - -	6	4	
Pork - - - - -	{ tierces - - -	8	- - -	
	{ casks - - -	8	6	
Pepper - - - - -	bags - - -	35	25	
	Artees - - -	12	10	large.
	Bindoo Plank - - -	20	- - -	small.
	Chittagong ditto - - -	25	- - -	
		25	20	
	Duggies - - -	1	- - -	large } shipping
		2	- - -	small }
		8	- - -	large } landing
		12	- - -	small }
	Mango ditto - - -	20	- - -	landing
		10	- - -	shipping.
	Shimbeams - - -	20	- - -	landing
		8	- - -	shipping.
	Spars - - -	1	- - -	large
		4	- - -	small.
Rattans - - - - -	ditto - - -	250	- - -	100 in a bundle.
Reapers - - - - -	ditto - - -	500	- - -	50 in ditto.
Saddlery - - - - -	cases - - -	60	- - -	10 in ditto.
Sharks' Fins - - - - -	bundles - - -	8	6	
Sheathing Boards - - - - -	No. - - -	3	- - -	double
Soap Nut - - - - -	bags - - -	100	- - -	single
		150	- - -	
Spices of all sorts - - - - -	bags - - -	30	- - -	large.
Stationery - - - - -	cases - - -	10	- - -	small.
Staves - - - - -	packs - - -	20	4	
Suck Lac - - - - -	bags - - -	20	- - -	
	bundles - - -	30	- - -	
Sugar - - - - -	casks - - -	40	- - -	
		4	- - -	
Ditto - - - - -	lumps - - -	50	- - -	large.
Ditto of Batavia - - - - -		70	- - -	small
Ditto of Bengal - - - - -	canisters - - -	6	- - -	
Ditto - ditto - - - - -	bags - - -	20	- - -	
Ditto China - - - - -	chests - - -	6	- - -	
Sugar Candy - - - - -	small packages - - -	40	- - -	
Ditto - ditto - - - - -	tubs - - -	25	- - -	
Tents - - - - -	½ ditto - - -	50	- - -	
Tamarind - - - - -	setts - - -	6	- - -	
Ditto Bengal - - - - -	bags - - -	15	- - -	private two polled tents.
Thread - - - - -	ditto - - -	20	- - -	
Tobacco - - - - -	bundles - - -	7	6	
	bags - - -	30	- - -	

SCHEDULE A.—continued.

ARTICLES	Packages	Fair Weather	Foul Weather or High Surf	REMARKS.
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II.—DEAD WEIGHT.—Computed at 1½ Ton per Boat-load.

Anchor	No.	1		of 12 cwt. small anchors and grapnels in like proportion.
Arms	chests	12		12 muskets each.
Blackwood	candies	6		shipping.
		7		landiug.
	chests	6	4	
Copper, Sheet	cases	4	3	
	slabs	100	80	large.
		3		3 pounders.
Guns, Iron or Brass	No.	2		4 or 6 ditto.
		1		9 ditto.
Japan	chests	10	8	
Metals of all kinds	tons	1½		
Nails	ditto	1½		
Red Lead	ditto	1½		
Red Wood	ditto	1½		
Sandal Wood	ditto	1½		
Salt	bags	25		
Saltpetre	ditto	25		
		20		13 inches.
Shells	No.	100		10 or 8 ditto.
		250		5½ ditto.
		300		4½ ditto.
		150		24 pounders.
		200		18 ditto.
Shot	ditto	300		12 ditto.
		400		9 ditto.
		500		6 ditto.
Treasure	boxes	6	4	

III.—MISCELLANEOUS ARTICLES.

Bullocks	No.	2		
Coals	tons	2	1½	
Cow and Calf	No.	1		
Firewood.	Ramapatam	500		large.
		1,000		small.
	Candarungum	600		
	Checurucottah	2,000.		
	Alumbarary	2,000.		
	Kistnapatam	1,000.		
	Alepanum	150.		
	Cuddalore	1,500		
Acheelandoo	2,000.			
Rangoon	2,000			
Ghee and Oil	dubbers	25		
Horse	No.	1		
Linseed Oil	jars	20		
Loose Oakum				whatever quantity can be stowed conveniently.
Pecal weights of all kinds	peculs	30	25	
Pigs	No.	15		
Pontes	ditto	2		
Poultry				baskets, any quantity that can be stowed conveniently.
Sand, Ballast	tons	2	1½	
Seed Cocoa nut	No	200		
Sheep	ditto	20		
Tar	barrels	8	6	
Tarpaulin	No.	30		

The Number of Passengers composing a Boat-load :

Europeans	12 persons.
Natives	15 "

N B.—Two Children are to be considered equal to one grown-up Person.

SCHEDULE B.

MAXIMUM RATE of Boat and Cattamaran Hire.

Accommodation Boats:				Rs	A.	P.
Ordinary Trip, South or North Road	-	-	- per trip	3	8	-
Extra hire in and beyond 9 fathoms	-	-	- ditto	1	8	-
Foul weather trip	-	-	- ditto	6	-	-
Transshipment	-	-	- ditto	1	-	-

Common Boats.				South Road		North Road.	
Ordinary Trip	-	-	- per trip	1	8	-	-
Ballast ditto	-	-	- ditto	1	10	-	-
Ballast in and beyond 9 fathoms	-	-	- ditto	2	10	-	-
Return Trip	-	-	- ditto	-	12	6	-
Return Trip in and beyond 9 fathoms	-	-	- ditto	1	8	-	15
Water Ordinary Trip	-	-	- ditto	3	8	-	3
Water in and beyond 9 fathoms	-	-	- ditto	4	3	-	3
Trip in and beyond 9 fathoms	-	-	- ditto	2	12	-	2
Transshipment	-	-	- ditto	-	15	-	15
Transshipment in and beyond 9 fathoms	-	-	- ditto	1	14	3	1
Foul in and beyond 9 fathoms	-	-	- ditto	4	3	-	3

Small Cattamaran:						
Ordinary Trip, South or North Road	-	-	- per trip	-	5	-
Foul weather, or in or beyond 9 fathoms	-	-	- ditto	-	10	-
Cattamaran for rafting timber	-	-	- per day	1	-	-

Large Cattamaran hire:						
For landing or shipping an Europe Cable of 13 to 16 inches	-	-	-	18	12	-
For ditto of 17 to 22 inches	-	-	-	28	8	-
For shipping Chain Cables	-	-	- per trip	18	12	-
For ditto an Anchor from 14 to 29 cwt.	-	-	-	18	12	-
For ditto an Anchor from 30 to 50 cwt.	-	-	-	28	12	-
For making a rope fast to an Anchor under 12 cwt.	-	-	-	10	-	-
For ditto ditto above 12, and under 20 cwt.	-	-	-	20	-	-
For ditto ditto above 20 cwt.	-	-	-	35	-	-

Tarpaulin						
Per Trip	-	-	-	-	4	-

Water Casks						
Per Trip (4 casks)	-	-	-	-	9	5

Extra hire in addition to the Regulated Charges for Boats and Cattamarans.	Accommodation Boat.			Common Boat			Cattamaran		
	1	12	-	12	-	-	2	6	6
South Road trips, between 6 and 8 P.M.	1	12	-	-	6	-	-	2	6
North Road trips, ditto ditto	1	12	-	-	6	-	-	2	6
South Road trips, between 8 P.M. and 5 A.M.	3	8	-	1	8	-	-	5	-
North Road trips, ditto ditto	3	8	-	-	15	-	-	5	-
Boats or Cattamarans detained alongside for every three hours during the day or night	3	8	-	1	8	-	-	5	-
Boats or Cattamarans employed between the Commissariat Granary, and Parry and Co.'s Office	-	14	-	-	6	-	-	1	3
Ditto between Parry and Co.'s, and the Tunnel	1	12	-	-	12	-	-	2	6
Ditto between the Tunnel and the Sea Gate	2	5	4	1	-	-	-	3	4
Ditto between the Sea Gate and the Marine Villa	4	10	8	2	-	-	-	6	8
Ditto between Marine Villa and Adyar	7	-	-	3	-	-	-	10	-
Ditto North of Royapooram	1	12	-	-	9	6	-	2	6
Ditto Trivatoor and Ennore	10	8	-	3	9	-	-	15	-
Beyond the limits of the Anchorage	1	8	-	1	8	-	-	5	-
Boats employed on Sundays	1	8	-	-	9	-	-	2	-

N. B.—The ordinary period within which boats and cattamarans shall be let on hire, shall be between sunrise and sunset.

ACT No. XI. of 1842.

Passed by the Honourable the President of the Council of India in Council, on the 21st of October 1842, with the Assent of the Right Honourable the Governor-General of India.

AN ACT for Amending and Explaining the Law concerning the Importation of Foreign Sugar.

It is hereby enacted and declared, that the prohibition and penalties contained in Acts No. XXXII. of 1836 and No. XV. of 1839, against the landing or attempting to land in any part of the territories subject to the Presidency of Fort William in Bengal, or the Presidency of Fort St. George, of any foreign sugar, or any sugar which is the growth of any British possession into which foreign sugar can be legally imported, shall apply and be deemed to apply to such sugar otherwise imported into any part of the territories subject to the said Presidencies.

ACT No. XIV. of 1843.

Passed by the Right Honourable the Governor-General of India in Council, on the 5th August 1843.

AN ACT for regulating the Levy of Customs Duties, and the Manufacture of Salt in the North Western Provinces of the Presidency of Bengal.

I. It is hereby enacted, that Regulation XVI. 1829, Act II. 1838, and so much of Regulation IX. 1810, and of any other Regulation and Act as affects the collection of customs duties, or the manufacture of salt in the North Western Provinces of the Presidency of Bengal, shall be repealed from the 1st day of September 1843.

II. And it is further enacted, that from and after the day above-mentioned, the following and no other duties of customs shall be leviable upon the import and export of articles into and from the North Western Provinces of the Presidency of Bengal; (that is to say)

On the import of salt, of all descriptions, two rupees per maund, and a further duty of one rupee per maund on the transmission thereof to the eastward of Allahabad.

On the import of cotton, uncleaned, four annas per maund; cleaned, eight annas per maund.

On the export of Misree, Kund, Chenee, and all clayed and refined sugar, eight annas per maund, Goor, Ráb, Sheerah, and all unclayed and unrefined saccharine produce, three annas per maund.

The import of sugar into any part of the said Provinces is and shall remain prohibited.

III. And it is further enacted, that it shall be lawful for the Government of the said Provinces, from time to time to make and issue such orders as may be deemed expedient for the collection of the aforesaid duties, in such manner, and upon such line or lines, and at such places on or near such line or lines as may seem fit, and all such orders shall have the same force as if they formed a part of this Act, from the date notified in the Gazette wherein they shall be published.

IV. And it is further enacted, that from and after the 1st day of September 1843, the manufacture of alimentary salt throughout the North Western Provinces of the Presidency of Bengal, without the express sanction of the Government, is prohibited, and that any person engaging in the manufacture of such salt, or preparing or causing to be prepared works for the manufacture of such salt, without such sanction, and all zemindars or other proprietors of land, or their agents, conniving at such illicit manufacture, shall on conviction by the magistrate, within the limits of whose district the offence may have occurred, be punished by a fine not exceeding 500 rupees, and on non-payment of such fine, by

by imprisonment not exceeding six months, with or without hard labour, and that all works at which such manufacture shall have been conducted, or which are designed for such manufacture, shall be destroyed, and any salt which may be manufactured or stored thereat, shall be seized and confiscated

V. And it is further enacted, that it shall be lawful for the collectors of customs and the collectors of land revenue within their jurisdictions, to destroy all works for the manufacture of salt, and to seize the salt stored thereat, and to apprehend the persons concerned in the manufacture thereof, and make them over for trial to the magistrate within the limits of whose district the offence may have occurred.

VI It is further enacted, that all sugar imported into the said Provinces, and all articles imported or exported without payment of the duties imposed by this Act, or in contravention of the orders which may be made and issued under the provisions thereof, and all boats, carriages and conveyances, and all animals used in transporting the same, shall be liable to be seized and confiscated in the manner hereinafter mentioned.

VII. And it is further enacted, that all persons evading or attempting to evade the payment of the duties imposed by this Act, and all persons aiding or abetting such attempts or evasions, or in any manner acting in contravention of this Act, or of any order made and issued under the provisions thereof, and all zemindars and other proprietors of land, or their agents, who shall wilfully connive at such attempts or evasions, or aid such acts, shall on conviction by the magistrate within the limits of whose district the offence may have occurred, be punished by a fine not exceeding 500 rupees, and on non-payment thereof by imprisonment not exceeding six months, with or without hard labour.

VIII. And it is further enacted, that it shall be lawful for all officers of the customs department to search any carriages and conveyances, and any packages, upon reasonable grounds of suspicion that such carriages, conveyances or packages contain any articles made subject to duty, or prohibited to be imported by this Act, and to detain all such articles as may be liable to confiscation under the provisions thereof.

IX. And it is hereby enacted, that whenever any articles or goods shall be seized or detained under the provisions of this Act, the collector or deputy collector of land revenue or customs, within whose jurisdiction such seizure or detention shall occur, shall, with all practicable expedition, report the case for the determination of the Commissioner of Revenue, and it shall be lawful for such commissioner to declare such articles or goods to be confiscated, or to impose such lesser penalty in lieu thereof as to him may seem fit.

X. And it is hereby enacted, that it shall be lawful for all officers in the customs department to apprehend any person, upon reasonable grounds of suspicion that such person is liable to punishment under this Act, and to make him over for trial with all practicable expedition to the magistrate within whose jurisdiction the offence may occur.

XI. Provided always, that any officer of the customs department who shall without reasonable grounds of suspicion search any carriage or conveyance or any package, shall upon conviction thereof before the magistrate within whose jurisdiction the offence may have been committed, be punished with fine not exceeding 250 rupees, which fine shall be paid over to the party aggrieved, and on non-payment of such fine, with imprisonment not exceeding three months, and provided also, that any officer of the customs department who shall under colour of this Act apprehend any person without reasonable grounds of suspicion that such person is liable to punishment under this Act, shall upon conviction before the magistrate within whose jurisdiction the offence may have been committed, be punished with fine not exceeding 500 rupees, which fine shall be paid over to the party aggrieved, and on non-payment of such fine, with imprisonment not exceeding six months.

XII. And it is hereby enacted, that all magistrates, or persons exercising the powers of magistrates, shall be competent to receive and determine all charges against persons thus made over to them for trial on account of offences against this Act, and that all sentences passed in pursuance of this Act, shall be open to appeal under such rules as may from time to time be laid down for the cognizance of appeals in ordinary cases.

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XIII. And it is hereby enacted, that all officers of police, and all officers of the Government engaged in the collection of the land revenue, are empowered and required to aid and assist the officers of the customs department in the execution of this Act.

XIV. And it is further enacted, that nothing in this Act contained shall apply or be deemed to apply to the Saugor and Nerbudda territories, or to the district of Ajmere.

ACT No. XXV. of 1843.

Passed by the Right Honourable the Governor-General of India in Council, on the 23d November 1843.

AN ACT for making the Provisions of 5 & 6 Vict. c. 47, Sect. XI. applicable to India.

WHEREAS doubts have arisen as to whether so much of an Act passed in the 5th and 6th year of the reign of Her Majesty Queen VICTORIA, intituled, "An Act to amend the Laws relating to the Customs," as provides "that from and after the 5th day of January 1843, any articles of foreign manufacture, and any packages of such articles imported into the United Kingdom or into the British possessions abroad bearing any names, brands or marks purporting to be the names, brands or marks of manufacturers resident in the United Kingdom, shall be forfeited," is applicable to the territories subject to the government of the East India Company :

It is hereby enacted, that from and after the 1st day of May 1844, any articles of foreign manufacture, and any packages of such articles imported into the territories subject to the government of the said Company, bearing any names, brands or marks purporting to be the names, brands or marks of manufacturers resident in the United Kingdom, shall be forfeited.

ACT No. VI. of 1844.

Passed by the Right Honourable the Governor-General of India in Council, on the 16th March 1844.

AN ACT for abolishing the Levy of Transit or Inland Customs Duties, for revising the Duties on Imports and Exports by Sea, and for determining the Price at which Salt shall be sold for Home Consumption within the Territories subject to the Government of Fort St. George.

Rescinding all Regulations of the Madras Code imposing inland, transit and town duties

I. It is hereby enacted, that from the 1st day of April 1844, such parts of Regulation X. of 1803, Regulation I. of 1812, Regulation III. of 1812, Regulation VI. of 1812, and Regulation III. of 1821, of the Madras Code, and all such parts of any Regulations of the said Code as prescribe the levy of transit or inland customs duties at any town or place within the limits of the Presidency of Fort St. George, shall be repealed.

Rescinding Regulations of the Madras Code imposing sea customs duties, with certain exceptions

II. And it is hereby enacted, that Regulation IX. of 1803, with exception of Sections 55 to 70, both inclusive, Regulation XI. 1803, Regulation XIV. of 1808, Regulation XV. of 1808, with exception of Section 5, Regulation II. of 1812, with exception of Sections 15 and 17, Regulation IV. of 1812, and such parts of Regulation I. of 1813, of the same Code, as relate to the rates of duty and drawback on spirituous liquors imported or exported by sea, also Regulation II. of 1816, Regulation II. of 1818, Regulation III. of 1818, Regulation IV. of 1819, and Regulation VII. of 1819, together with the Schedules appended thereto, excepting in so far as any of these Regulations rescind any former Regulations, either in part or in whole, of the Madras Code, and likewise the provisions of any kind contained in the foregoing or any other Regulations of the Madras Code, for fixing the amount of duty to be levied on goods imported or exported by sea, at any place within the limits of the Presidency of Fort St. George, or the drawback payable on the same, shall be repealed.

III. Provided

III. Provided always, that nothing contained in the two preceding sections of this Act shall be construed to prevent the levy of any municipal tax, or of any toll on any bridge, road, canal, pier or causeway, for repair and maintenance of the same; or of any fee for the erection and maintenance of lighthouses.

Proviso.

IV. And it is hereby enacted, that duties of customs shall be levied on goods imported by sea into any place within the territories subordinate to the government of the Presidency of Fort St. George, after the said 1st day of April 1844, according to the rates specified in Schedule A. annexed to this Act, with the exceptions specified therein, and the Schedule, with the notes attached thereto, shall be taken to be a part of this Act.

Duties to be levied on goods imported by sea into the Presidency of Fort St. George

V. And it is hereby further enacted, that duties of customs shall be levied upon country goods exported by sea from any ports of the Presidency of Fort St. George, after the 1st day of April 1844, according to the rates specified in Schedule B. annexed to this Act, with the exceptions therein specified, and the said Schedule, with the notes attached thereto, shall also be taken to be a part of this Act.

Duties to be levied on goods exported by sea from the Presidency of Fort St. George

VI. And it is hereby enacted, that duties of customs shall be levied on goods passing by land into or out of foreign European settlements, situated on the line of coast within the limits of the Presidency of Fort St. George, at the rates prescribed in the Schedules of this Act for goods imported or exported on foreign bottoms at any British port in that Presidency.

Duties to be levied on goods passing by land into or out of foreign European settlements, adjacent to the Presidency of Fort St. George

VII. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Fort St. George to declare by notice to be published in the Gazette of that Presidency, that the territory of any native chief, not subject to the jurisdiction of the courts and civil authorities of that Presidency, shall be deemed to be foreign territory, and to declare goods passing into or out of such territory liable either to the duty fixed for British or for foreign bottoms, as the said Governor in Council may think fit.

The Governor in Council may declare by notice in the Gazette, the territory of native chiefs, beyond the jurisdiction of the courts, to be foreign

VIII. And it is hereby enacted, that for the levy of duties of customs as above provided on goods exported by land to, or imported by land from such foreign territories, customs chokees may be established at such places as may be determined by the said Governor in Council, and every officer at every such chokee shall have power to detain goods passing into or out of any such foreign territory, and to examine and ascertain the quantities and kinds thereof, and such goods shall not be allowed to pass across the frontier line out of, or into the territory of the East India Company, until the owner or person in charge thereof shall produce and deliver a certificate, showing that the customs duty leviable thereupon has been paid in full.

Customs chokees may be established for the levy of duties on goods passing into or out of foreign territory
Powers of officers at such chokees
Goods not to be allowed to pass across the frontier line without a certificate of the duty thereon having been paid in full

IX. And it is hereby enacted, that it shall be lawful for the said Governor in Council to appoint such officers as he may think fit to receive money on account of customs duties, and grant certificates of the payment thereof, and that such a certificate being delivered to any chokee officer shall entitle goods to cross the frontier into or out of the East India Company's territories, provided that the goods correspond in description with the specification thereof contained in such certificate, and that the certificate show the entire amount of duty leviable on those goods to have been duly paid; and if upon examination the goods brought to any chokee be found not to correspond with the specification entered in the certificate presented with the same, the difference shall be noted on the face of the certificate, and if the payment of duty certified therein shall not cover the entire amount of duty leviable on the goods as ascertained at such examination, the goods shall be detained until a further certificate for the difference shall be produced.

The Governor in Council may appoint officers to collect duties and to grant certificates of payments

If goods be found not to correspond with certificate, the difference to be noted on the face of the certificate, and if the duty have not been duly paid, the goods to be detained until a further certificate be produced.

X. And it is hereby enacted, that the said Governor in Council shall give public notice in the official Gazette of the Presidency of Fort St. George, of the appointment of every officer appointed to receive customs duties on goods crossing the land frontier of the said foreign territories, and the officers so appointed shall on receipt of money tendered as customs duty be bound to give to any merchant or other person applying for the same, a certificate of payment, and to enter therein the specification of goods, with the values and description thereof, according to the statement furnished by the person so applying, provided only that the proper duty leviable thereupon, according to the descriptions and values stated, be covered by the payment made.

The appointments of officers to receive customs duties on the frontier to be notified in the official Gazette

Officers so appointed bound to grant certificates on receipt of the proper duty

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Certificates not to bear date more than 30 days before the arrival of the goods.
Proviso

XI. And it is hereby enacted, that no certificate shall be received at any chokee that shall bear date more than 30 days before the date when the goods arrive at the chokee; provided, however, that any person who has taken out a certificate from any authorized receiver of customs duties, shall at any time within the said period of 30 days, on satisfying such receiver that such certificate has not been used, and on delivering up the original, be entitled to receive a renewed certificate, with a fresh date, without further payment of duty.

The Governor in Council to notify in official Gazette by what routes goods may cross the land frontier

XII. And it is hereby enacted, that it shall be lawful for the said Governor in Council to prescribe by public notice in the official Gazette of the Presidency of Fort St. George, by what routes goods shall be allowed to pass into or out of any such foreign territory, as is described in Sections VI. and VII. of this Act; and after such notice shall be given, goods which may be brought to any chokee established on other routes or passes than those so prescribed, shall, if provided with a certificate, be sent back; and if not provided with a certificate shall be detained, and shall be liable to confiscation by the collector of customs, unless the person in charge thereof shall be able to satisfy the said collector that his carrying them by that route was from ignorance or accident.

After which goods brought by other routes to be liable to detention, or confiscation

Goods crossing frontier clandestinely to be confiscated

XIII. And it is hereby enacted, that goods which may be passed, or which an attempt may be made to pass across any frontier guarded by chokees between sunset and sunrise, or in a clandestine manner, shall be seized and confiscated.

Penalty for officer permitting goods to cross the frontier without certificate, or by prohibited route

XIV. And it is hereby enacted, that any chokee officer who shall permit goods to pass across the frontier when not covered by a sufficient certificate, or who shall permit goods to pass by any prohibited route, shall be liable, on conviction before the collector of customs, to imprisonment for a term not exceeding six months, and to a fine not exceeding 500 rupees, commutable, if not paid, to imprisonment for a further period of six months.

Penalty for a chokee officer needlessly and vexatiously injuring goods, or wrongfully detaining them

XV. And it is hereby enacted, that if any chokee officer shall needlessly and vexatiously injure goods under the pretence of examination, or in the course of his examination, or shall wrongfully detain goods for which there shall be produced a sufficient certificate, such officer shall, on conviction before the collector of customs, or before any magistrate or joint magistrate, be liable to imprisonment for a term not exceeding six months, and to fine not exceeding 500 rupees, commutable, if not paid, to imprisonment for a further period of six months.

Goods imported by sea from foreign European settlements or native states declared foreign, to be liable to duties leviable on foreign bottoms.

XVI. And it is hereby enacted, that all goods imported by sea into any port of the Presidency of Fort St. George from any foreign European settlement in India, or from any native state the inland trade of which has been declared by the Governor in Council of the Presidency of Fort St. George under Section VII. of this Act to be subject to the duties levied on foreign bottoms, shall be liable to the same duties as are imposed by Schedule A. on imports on foreign bottoms.

No dutiable goods entered in either of the Schedules of this Act to be exempted unless under special order of Government

XVII. And it is hereby enacted, that no goods whatsoever entered in either of the Schedules of this Act as liable to duty, shall be exempted from the payment of such duty or of any part thereof, except under special order from the Governor in Council of the Presidency of Fort St. George: Provided always, that it shall and may be lawful for the collector of customs, or other officer in charge of a custom-house to pass free of duty any baggage in actual use, at his discretion; and if any person shall apply to have goods passed as such baggage, the collector acting under the orders of the Government, shall determine whether they be baggage in actual use, or goods subject to duty under the provisions of this Act.

Proviso under which goods may be imported duty free from any other Madras port

XVIII. Provided always, that when goods are imported at any port of the Presidency of Fort St. George from any other port in that Presidency, under certificate that the export duty specified in Schedule B. has been duly paid thereon, or that there has been a re-export, and that the import duty specified in Schedule A. has been duly paid, the said goods shall be admitted to free entry

Further proviso under which credit may be given at any Madras

XIX. Provided also, that when duties of customs shall have been paid on any goods at any port in any part of the territories of the East India Company not

not subject to the Presidency of Fort St. George, and such goods shall subsequently be imported at any port of the Presidency of Fort St. George, credit shall be given at such last-mentioned port for the sum that may be proved by the production of due certificates to have been so paid.

port for duties paid at any other British Indian port.

XX. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Fort St. George, from time to time, by notice in the official Gazette of that Presidency, to fix a value for any article or number of articles liable to ad valorem duty, and the value so fixed for such articles shall, till altered by a similar notice, be taken to be the value of such articles for the purpose of levying duty on the same.

The Governor in Council to notify in the official Gazette, the valuation of articles liable to ad valorem duty

XXI. And it is hereby enacted, that when goods liable to duty, for which a value has not been fixed by such a notice as is above directed, or for which a fixed duty has not been declared by the Schedules annexed to this Act, are brought to any custom-house in the Presidency of Fort St. George for the purpose of being passed for importation or exportation, the duty leviable on such goods shall be levied ad valorem; that is to say, according to the market value of such goods at the place and time of importation or exportation, as the case may be.

When no value has been fixed or declared, duty to be levied according to the market value

XXII. And it is hereby enacted, that the market value for assessment of duties on ad valorem goods shall be declared by the owner, consignee or exporter, or by the agent or factor for any of these respectively, upon the face of the application to be given in by him in writing for the passing of the goods through the custom-house, and the value so declared shall include the packages or materials in which the goods are contained, and the application shall truly set forth the name of the ship in which the goods have been imported, or are to be exported, the name of the master of the said ship, the colours under which the said ship sails, the number, description, marks and contents of the packages, and the country in which the goods were produced.

The market value how and by whom to be declared
Application to be made in writing for the passing of goods through the custom-house
What the application is to contain

XXIII. And it is hereby enacted, that every such declaration, when duly signed, shall be submitted to the officer of customs appointed to appraise goods at the custom-house, and if it shall appear to him that the same is correct, he shall countersign it as admitted; but if any part, or the whole, of the goods shall seem to him to be undervalued in such declaration, he shall report the same to the collector of customs, who shall have power to take the goods, or any part thereof, as purchased for the Government at the price so declared, and whenever the collector of customs shall so take goods for the Government, payment thereof shall be made to the consignee or importer, if the goods be imported goods, within 15 days from the date of the declaration, the amount of import duty leviable thereon being first deducted, and if the goods be intended for exportation, the entire value as declared shall be paid, without deduction on account of customs duty.

Declaration of market value to be submitted to appraising officer
The collector of customs empowered to purchase undervalued goods at the price so declared
Payment for the goods when and how to be made.

XXIV. And it is hereby enacted, that it shall be lawful for the Governor in Council of the Presidency of Fort St. George to declare, by public notice in the official Gazette of that Presidency, what places within the same shall be ports for the landing and shipment of merchandize, and any goods that may be landed, or which an attempt may be made to land, at any other port than such as shall be so declared, shall be seized and confiscated.

Government to notify in the official Gazette the ports for landing and shipping merchandize. Goods landing at other ports to be confiscated.

XXV. And it is hereby enacted, that when any vessel shall arrive in any port of the Presidency of Fort St. George, the master shall deliver a true manifest of the cargo on board, made out according to the form annexed to this Act, and marked C., to the first person duly empowered to receive such manifest that may come on board, and if no such person shall have come on board before the anchor of the said vessel is dropped, then the manifest shall be forwarded to land on board of the first boat that leaves the vessel after dropping anchor, and if the port be up a river or at a distance from the land first made, then it shall be lawful for the said Governor in Council, by an order published in the official Gazette of the Presidency, to fix a place in any such river or port beyond which place it shall not be lawful for any inward-bound vessel, except such country craft as are described in Sections LIV. and LV. of this Act, to pass, until the master shall have forwarded in such manner as may be ordered by the said Governor in Council, such a manifest as is required by this Act.

Manifests of cargo to be sent in by masters of vessels on arrival
The Governor in Council may appoint places beyond which no inward-bound vessel may pass until the master have forwarded his manifest of cargo. Excepting certain country craft

Penalty for a master delivering a manifest not containing a full and true specification of cargo.

XXVI. And it is hereby enacted, that if the manifest so delivered by the master shall not contain a full and true specification of all the goods imported in the vessel, the said master shall be liable to a fine of 1,000 rupees, and any goods or packages that may be found on board in excess of the manifest so delivered, or differing in quality or kind, or in marks and numbers from the specification contained therein, shall be liable to be seized by any customs officer and confiscated, or to be charged with double or such increased duties as may be determined by the collector of customs under the orders of Government.

Masters of inward-bound vessels remaining outside of the places fixed by the Governor in Council, required to deliver manifests.

Penalty for the master of a vessel refusing to deliver a manifest.

XXVII. And it is hereby enacted, that if any inward-bound vessel shall remain outside or below the place that may be fixed by the said Governor in Council for the first delivery of manifests, the master shall deliver a manifest as hereinbefore prescribed, to the first person duly empowered to receive such manifest that may come on board; and if any vessel entering a port for which there is a custom-house established shall lie at anchor therein for the space of 24 hours, the master whereof shall refuse to deliver the said manifest in the manner above prescribed, he shall for such refusal be liable to fine not exceeding 1,000 rupees, and no entry or port clearance shall be given for such vessel until the fine is paid.

No vessel to break bulk until the collector of customs have received ship's papers.

XXVIII. And it is hereby enacted, that no vessel shall be allowed to break bulk until a manifest as required by this Act, and another copy thereof to be presented at the time of applying for entry inwards, if so required by the collector of customs, shall have been received by the said collector, or until order shall have been given by the said collector for the discharge of the cargo; and that the said collector may further refuse to give such order if he shall see fit, until any port clearances, cocketts or other papers, known to be granted at the places from which the vessel is stated to have come, shall likewise be delivered to him.

Goods moved from or put on board of any vessel without due entry in the Custom-house, or permission for discharge of cargo, to be seized as contraband.

XXIX. And it is hereby enacted, that no goods shall be allowed to leave any vessel or to be put on board thereof, until entry of the vessel shall have been duly made in the custom-house of the port, nor until order shall have been given for discharge of the cargo thereof, as above provided, and it shall be the duty of every customs officer to seize as contraband any goods which have been removed or put on board of any vessel in contravention of the above provision, or which any attempt shall have been made to remove from, or to put on board of any vessel in contravention of the above provision; and after entry of the vessel at the custom-house in due form, such part of the cargo as may not be declared for re-exportation in the same vessel shall be sent to land, and export cargo shall be laden on board according to the forms and rules that may be prescribed for the port by this Act, or by order of the Governor in Council of the Presidency of Fort St. George; and if an attempt be made to land or put on board goods or merchandize in contravention of the forms and rules so prescribed, the goods shall be liable to seizure and confiscation.

After entry in due form, cargo not declared for re-exportation may be landed, and export cargo laden.

Goods liable to seizure and confiscation if attempted to be landed or put on board in contravention of this Act.

Penalty on master if cargo do not correspond with his manifest, or if goods sent out of the vessel be not landed at the prescribed places.

XXX. And it is hereby enacted, that if goods entered in the manifest of a vessel shall not be found on board that vessel, or if the quantity found be short and the deficiency be not duly accounted for, or if goods sent out of the vessel be not landed at the custom-house, or at such other place as the collector of customs shall have prescribed, the master shall be liable to a penalty not exceeding 500 rupees for every missing or deficient package of unknown value, and for twice the amount of duty chargeable on the goods deficient and unaccounted for, if the duty can be ascertained; provided, however, that nothing herein contained shall be construed to prevent the collector of customs from permitting at his discretion the master of any vessel to amend obvious errors, or to supply omissions from accident or inadvertence, by furnishing an amended or supplemental manifest.

Provision for the amendment of obvious errors in manifests of cargo.

One or more places in every port to be appointed for the landing and shipment of goods.

XXXI. And it is hereby enacted, that there shall, in every port of the Presidency of Fort St. George, be one or more places appointed for the landing and shipment of goods, and goods shall not be landed at or shipped from any other place without the special order in writing of the collector of customs for the port; and if any goods be landed, or an attempt be made to land any goods at any other than the said authorized places, or if any goods be shipped or an attempt be made to ship any goods from any others than the said authorized places without such order, they shall be seized and confiscated.

Goods landing at or shipping from any other place without special permission to be confiscated.

XXXII: And

XXXII. And it is hereby enacted, that if the Governor in Council shall see fit, for the security of customs at any port, to maintain special establishments of boats for the landing and shipping of merchandize, or to license and register the cargo boats plying in any ports, then after due notification thereof, it shall not be lawful for any person to convey goods to or from any vessel in such port, otherwise than in the boats so authorized and prescribed, except under special permit from the collector of customs at the port, and any goods that may be found on board of other boats than those so authorized for the port, shall be liable to be seized by an officer of customs, and shall be liable to confiscation.

The Governor in Council may license boats for landing and shipping merchandize, and after notification goods found on any other boats to be liable to confiscation
 Excepting under special permit from the collector of customs

XXXIII. And it is hereby enacted, that when the Governor in Council of the Presidency of Fort St. George shall see fit to maintain at any port an establishment of officers to be sent on board of vessels to watch their unloading and lading, then, after due notification shall have been given that such establishment is so maintained at any port, the collector of customs at that port shall have power at his discretion to send one or more officers of such establishment to remain on board of any vessel in such port, by night and by day, until the vessel shall leave the port, or it shall be otherwise ordered by the collector.

After due notification by Government the collector of customs empowered to station customs officers on board of any vessel

XXXIV. And it is hereby enacted, that any master of such vessel at such port who shall refuse to receive such officer with one servant on board, when such officer shall be so deputed as above provided, or shall not afford such officer and such servant suitable shelter and sleeping accommodation while on board, and likewise furnish them with a due allowance of fresh water if necessary, and with the means of cooking on board, shall be liable to a fine not exceeding the sum of 100 rupees for each day during which such officer and servant shall not be received and provided with suitable shelter and accommodation

Penalty for the master of a vessel refusing to receive and accommodate such officer.

XXXV. And it is hereby enacted, that whenever a collector of customs shall see cause to direct that any vessel shall be searched, he shall issue his warrant or written order for such search, addressed to any officer under his authority, and upon production of such order the officer bearing it shall be competent to require any cabins, lockers or bulk-heads, to be opened in his presence, and if they be not opened upon his requisition, to break the same open, and any goods that may be found concealed, and that shall not be duly accounted for to the satisfaction of the collector of customs, shall be liable to confiscation; and any master or person in charge of a vessel who shall resist such officer or refuse to allow the vessel to be searched when so ordered by the collector of customs, shall be liable upon conviction for every such offence to a fine of 1,000 rupees.

Collector of customs may issue warrant to search any vessel
 Powers of an officer bearing such warrant
 Penalty for any master of a vessel resisting officer with warrant for search

XXXVI. And it is hereby enacted, that every master of a vessel who shall remove from such vessel or put on board thereof any goods, or cause or suffer any goods to be removed from thence or put on board thereof between sunset and sunrise, or on any day when the custom-house is closed for business, without leave in writing obtained from the collector of customs, shall be punished with a fine not exceeding 500 rupees.

Penalty for a master removing or putting on board goods between sunset and sunrise, or when the custom-house is closed, without leave from collector.

XXXVII. And it is hereby enacted, that no cargo boat laden with goods intended for exportation by sea shall make fast to, or lie alongside of any vessel on board of which there shall be a customs officer stationed, unless there shall be on board the boat, or have been received by the said customs officer, a custom-house permit or order for the shipment of the goods; and the goods on board of any boat that may so be alongside or be made fast to a vessel, if such goods be not covered by a custom-house pass accompanying them, or previously received by the customs officer on board the said vessel, shall be liable to confiscation.

Export cargo boats without permits not allowed to lie alongside vessels on which customs officers are stationed
 Goods on such boats if not covered by a pass to be liable to confiscation.

XXXVIII. And it is hereby enacted, that when goods shall be sent from on board of any vessel having a customs officer on board for the purpose of being landed and passed for importation, there shall be sent with each boat-load or other separate despatch a boat-note, specifying the number of packages and the marks and numbers or other description thereof, and such boat-note shall be signed by an officer of the vessel, and likewise by the customs officer on board; and if any imported goods be found in a boat proceeding to land from such a vessel without a boat-note, or if being accompanied by a boat-note they be found out of the proper track between the ship and the proper place of landing, the boat containing such goods may be detained by any officer of customs duly authorized by the collector,

In the removal of goods from on board any vessel, a boat-note to be sent with each separate despatch.
 Goods liable to confiscation if found without a boat-note, or out of the track between the vessel and the proper place of landing.

lector, and unless the cause of deviation be explained to the satisfaction of the collector of customs, the goods shall be liable to confiscation.

Goods brought to be passed through the custom-house, if not corresponding with the description in the application, liable to confiscation.

XXXIX. And it is hereby enacted, that when goods shall be brought to be passed through the custom-house either for importation or exportation by sea, if the packages in which the same may be contained shall be found not to correspond with the description of them given in the application for passing them through the custom-house, or if the contents thereof be found not to have been correctly described in regard to sort, quality or quantity, or if any goods not stated in the application be found concealed in or mixed up with the specified articles, all such packages, with the whole of the goods contained therein, shall be liable to confiscation.

Goods liable to confiscation if removed with fraudulent intention after landing, and before passing through the custom-house

XL. And it is hereby enacted, that if any person after goods have been landed and before they have been passed through the custom-house, removes or attempts to remove them with the intention of defrauding the revenue, the goods shall be liable to confiscation, unless it shall be proved to the satisfaction of the collector of customs, that the removal was not sanctioned by the owner or by any person having an interest in or power over the goods.

Collector of customs may require goods in bulk to be weighed or measured before landing, and levy duty accordingly

XLI. And it is hereby enacted, that it shall be lawful for the collector of customs, whenever he shall see fit, to require that goods brought by sea and stowed in bulk shall be weighed or measured on board ship before being sent to land, and to levy duty according to the result of such weighing or measurement.

Rescinding c 2, s XI. of Reg. L. of 1805 of the Madras Code

XLII. And it is hereby enacted, that Clause 2, Section XI. of Regulation I. of 1805 of the Madras Code, shall be repealed.

Fixing the price to be paid for salt within the Presidency of Madras.

XLIII. And it is hereby enacted, that the price to be paid by the purchasers of salt to the Government of the Presidency of Fort St. George, for salt that may be manufactured and sold under the orders of the Governor in Council for consumption within the territories subordinate to the Presidency of Fort St. George, shall, subsequent to the date specified in Section I. of this Act, be one Company's rupee and eight annas for every maund of 3,200 tolas weight of salt.

The Governor-general in Council empowered to grant a remission of this price.

XLIV. And it is hereby enacted, that it shall be competent to the Governor-General of India in Council to grant a remission of the price specified in the last preceding section of this Act, in cases in which it may appear that the grant of such remission is expedient.

Salt having paid the home consumption price may be landed free at any other Madras port, under certificate

XLV. And it is hereby enacted, that on application by the exporter of any salt that has paid the full price fixed to be paid for salt sold for home consumption under the provisions of Section XLIII. of this Act, a certificate shall be granted by the collector of customs at the place of export, under authority of which certificate the quantity of salt specified therein shall be landed at any other port of the said Presidency of Fort St. George, and shall be passed from such port under the proper passes applicable to the free passage of salt into the interior, without the levy of any further duty of customs.

Limited period allowed for discharge of import cargo of vessel on which customs officer may be stationed

XLVI. And it is hereby enacted, that when a customs officer shall be sent on board of any vessel to superintend the delivery of cargo, 20 days, exclusive of Sundays and holidays, shall be allowed for the discharge of the import cargo of vessels not exceeding 600 tons burthen, and 30 days, exclusive of Sundays and holidays, for the discharge of the import cargo of vessels exceeding that burthen, and the said periods shall be calculated from the day when the customs officer first went on board; and if the whole cargo be not discharged by the expiration of the above-mentioned periods, the master shall be charged with the wages of such officer, and other expenses, for any further period that such officer may be detained on board; and if the owners, importers or consignees do not bring their goods to land within the periods above fixed, it shall be the duty of the master so to do.

Limited period allowed for discharging cargo from any vessel without a customs officer on board.

Goods remaining on board after period allowed, to be landed and warehoused by order of collector

XLVII. And it is hereby enacted, that when there shall be no customs officer sent aboard vessels discharging cargo, it shall be lawful for the collector of customs to fix a period, not being less than 20 days, for the discharge thereof and clearance of the vessel inwards; and if any goods remain on board after the time so fixed, or after the time allowed in the last preceding section of this Act, the collector may order the same to be landed and warehoused for the security of the duties chargeable thereon, and of any freight and primage and other demands that

that may be due thereon, giving his receipt to the master for the same: Provided always, that in all cases it shall be lawful for the collector or other officer in charge of the custom-house, with the consent of master of the vessel, to cause any packages to be brought on shore and to be deposited in the Government warehouses for the security of the duties and charges thereon, although 20 days may not have expired from the entry of such vessel; and in case any goods brought to land from any vessel be not claimed and cleared from the custom-house within three months from the date of entry of the ship in which such goods were imported, it shall be competent to the collector to sell the same on account of the duties and other charges due thereon, and the balance remaining, after deducting the said duties and charges, shall be held in deposit and paid to the owner on application.

Customs collector, with consent of master of vessel, may cause any packages to be deposited in the Government warehouses.

The collector empowered to sell goods if not cleared from custom-house within period specified.

XLVIII. And it is hereby enacted, that when a customs officer shall be sent on board of any vessel discharging cargo, a further period of 15 days, Sundays and holidays excluded, beyond the 20 days above specified, shall be allowed for putting on board export cargo if the vessel shall not exceed 600 tons burthen, and 20 days if it exceed that burthen, when the lading and unlading thereof shall be continuous, and the master or commander shall in such case not be charged with the wages and expenses of the customs officer on board until after the expiration of such additional period; and if a vessel having discharged its import cargo shall be laid up, the customs officer on board shall certify that no goods remain on board except necessary stores and articles for use, and when a vessel so laid up shall be entered at the custom-house for receipt of export cargo, a customs officer shall be sent on board, and if the said last-mentioned officer shall certify that no goods are on board except as above excepted, 20 days, exclusive of Sundays and holidays, as above, shall be allowed from the date of such certificate for the lading outwards of a vessel not exceeding 600 tons, and 30 days for vessels exceeding that burthen, after which periods respectively the master shall be charged with the wages and expenses of the customs officer on board to the date of the vessel's sailing from the port.

Limited period allowed for putting export cargo on board of any vessel

XLIX. And it is hereby enacted, that when upon application from the master of any vessel the customs officer shall be removed from on board thereof under the provisions to that effect contained in the last preceding section of this Act, if the master of such vessel shall, before a customs officer have again been placed in such vessel, put on board of such vessel, or cause or suffer to be put on board of such vessel any goods whatever, such master shall be punished with a fine not exceeding 1,000 rupees, and the goods shall be liable to be relanded for examination at the expense of the shippers, upon requisition to that effect from the collector of customs.

Penalty for putting goods on board a vessel after customs officer's removal therefrom, and before a customs officer have again been placed thereon

L. And it is hereby enacted, that a port clearance shall be granted by the collector of customs, or other authorized officer, to the master or commander of every vessel clearing out from the ports of the Presidency of Fort St. George, provided such master or commander shall have complied with the terms prescribed by this Act, and with the rules of the port concerned, and shall produce a certificate from the proper officer or officers of all port charges and public demands against him, of whatever nature, having been duly paid and discharged.

A port clearance to be granted to the master of every vessel on certificate of all public demands against him having been satisfied

LI. And it is hereby enacted, that upon any goods liable to duty that may be passed through the custom-house for shipment, the application for which shall be presented after port clearance shall have been taken out, double of the prescribed duty shall in all cases be levied, and if the goods be free or have already paid import duty, or have been imported free under certificate, five per cent. upon the market value shall be levied thereon, or if the same be imported goods entitled to drawback, the drawback shall be forfeited, but no separate duty shall be levied on drawback goods.

Rules for levying duty on goods passed through custom-house for shipment after grant of port clearance.

LII. And it is hereby enacted, that when a vessel having cleared out from any port shall put back from stress of weather, or it shall for any damage or from other cause be necessary that the cargo of a vessel that has cleared out shall be unshipped or relanded, a customs officer shall be sent to watch the vessel and take charge of the cargo during such relanding or removal from on board, and the goods

Cargo of vessels putting back from stress of weather, or damage, and compelled to re-land cargo, to be taken charge of by customs officers, and lodged in such place as the collector may direct.

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goods on board such vessel shall not be allowed to be transhipped or re-exported free of duty by reason of the previous settlement of duty at the time of first export, unless the goods shall be lodged in such place as shall be allowed by the collector of customs, and shall remain while on land, or while on board of any other vessel under special charge of the officers of customs until the time of re-export, and all charges attending such custody shall be borne by the exporter; provided, however, that in all cases of return to port after port clearance on account of damage or for stress of weather, it shall be lawful for the owner or for the master to enter the vessel and land the cargo under the rules for the importation of goods, and the export duty shall in that case be refunded and the amount paid in drawback be reclaimed, and if goods on account of which drawback has been paid be not found on board the vessel, the master shall be liable to a fine not exceeding the entire value thereof, unless he account for them to the satisfaction of the collector of customs.

Proviso, under which the cargo may be landed as imported goods, and the export duty refunded

Penalty for a master putting back into port without goods on which drawback has been allowed.

Duty on goods re-landed before the lading is complete to be refunded, but not after grant of port clearance

Unless the vessel have put back for stress of weather or damage

Penalty on coasting and country craft for contravening such rules as Governor in Council may lay down for their regulation

Specification of native craft to be treated like coasting craft of the British territories

No drawback allowed on goods shipped on such native craft.

Goods re-exported in the same vessel not subject to duty, duty to be levied on transhipped goods as if they had been landed and re-exported.

Goods to be liable to confiscation if transhipped without special license from collector.

Customs officer to superintend transshipment.

The collector competent to adjudge confiscations.

The collector may exact payment of fines before granting port clearance.

LIII. And it is hereby enacted, that when goods shall be re-landed before the lading of any vessel is complete, and before port clearance has been granted, the duty levied upon such goods shall be returned to the exporter, but no refund shall be made of duty paid on the export of any goods after port clearance shall have been granted for the vessel on which the goods were exported, unless the vessel shall have put back for stress of weather or for damage, and the goods shall have been re-landed under the rule contained in the last preceding section of this Act.

LIV. And it is hereby enacted, that it shall be lawful for the said Governor in Council to establish rules for the anchoring of the coasting and country craft of the British territories, for the delivery of manifests of the cargo of such vessels, and for the landing of goods therefrom, and shipping of goods thereon, and that whoever being in charge of any such craft shall knowingly contravene any such rule shall be liable to a fine not exceeding 100 rupees for each offence.

LV. And it is hereby enacted, that pattamars, dhonies, and other small craft from the Maldiva or Laccadive Islands, or from the native ports of Kattywar and Cutch, and of the Travancore and Cochin States, shall be treated in the ports of the Presidency of Fort St. George like the coasting craft of the British territory, provided that they conform to such special regulations as to the place of anchoring and mode of landing and shipping goods, as may be made by the Governor in Council for such vessels in the several ports of the Presidency of Fort St. George.

LVI. And it is hereby enacted, that no drawback shall be allowed on goods shipped on such native craft as are described in the last preceding section of this Act.

LVII. And it is hereby enacted, that goods exported in the same vessels if manifested for re-export, shall not be subject to import or export duty, and if any goods brought to any port in any vessel be transhipped in such port, they shall in all cases be subject to the same duty as if they had been landed and passed through the custom-house for re-exportation in the vessel into which they may be transhipped.

LVIII. And it is hereby enacted, that no transshipment shall be made of any goods, except under special order in writing from the collector of customs of the port, and that goods transhipped or attempted to be transhipped without such order shall be liable to confiscation.

LIX. And it is hereby enacted, that an officer of customs shall in all cases be deputed to superintend the removal of goods from vessel to vessel.

LX. And it is hereby enacted, that in all cases in which under this Act goods are liable to confiscation, the collector of customs of the place where those goods may be shall be competent to adjudge such confiscation.

LXI. And it is hereby enacted, that if any person in charge of a vessel shall have become liable to any fine on account of any act or omission relating to customs, the collector of customs shall be competent, subject to the orders of the Governor in Council of the Presidency of Fort St. George, to refuse port clearance to such vessel until the fine shall be discharged.

LXII. And

LXII. And it is hereby enacted, that it shall be lawful for any collector of customs, or other officer who may be authorized to adjudicate customs cases, if he shall decide that a seizure of goods made under the authority of this Act was vexatious and unnecessary, to adjudge damages to be paid to the proprietor by the customs officer who made such vexatious seizure, besides ordering the immediate release of the goods, and if the proprietor accept such damages, no action shall thereafter lie against the officer of customs in any court of justice on account of such seizure; and if such adjudicating officer shall decide that the seizure was warranted, but shall deem that the penalty of confiscation is unduly severe, it shall be lawful for him to mitigate the same to the extent of the levy of double duty; and if the said officer shall adjudge confiscation, it shall further be lawful for him to order that from the proceeds of the sale of the goods, a proportion not exceeding one-half shall be distributed in rewards amongst such officers as he shall deem entitled thereto, and in such proportion as he may direct to each respectively.

Empowering collectors of customs to decide upon cases of seizure, and to adjudge damages

To mitigate penalty of confiscation to the extent of the levy of double duty

And to distribute part proceeds of sale of confiscated goods in rewards among seizing officers

LXIII. And it is hereby enacted, that all officers of customs shall as heretofore be amenable to the civil courts of the Presidency of Fort St. George, by action for damages on account of any executive acts done in their official capacity, at the suit of the parties injured by such acts; provided, however, that no suit shall lie against a collector of customs or other officer for any judicial award in a matter of customs passed under the preceding section of this Act.

All officers of customs amenable to civil courts

Provided

LXIV. And it is hereby enacted, that whoever intentionally obstructs any officer in the exercise of any powers given by this Act to such officer, shall be punished with imprisonment for a term not exceeding six months, or fine not exceeding 1,000 rupees, or both.

Penalty for obstructing customs officers in the exercise of their powers

LXV. And it is hereby enacted, that whoever being an officer appointed under the authority of this Act, shall accept or obtain, or attempt to obtain from any person any property as a consideration for doing or forbearing to do any official act, shall be punished with imprisonment for a term not exceeding two years, or fine, or both.

Penalty for customs officer receiving consideration for doing or forbearing any official act

LXVI. And it is hereby enacted, that whoever being an officer appointed under the authority of this Act, practises or attempts to practise any fraud for the purpose of injuring the customs revenue, or abets or connives at any such fraud, or at any attempt to practise any such fraud, shall be punished with imprisonment for a term not exceeding two years, or fine, or both.

Penalty for a customs officer concerned in defrauding the customs revenue.

LXVII. And it is hereby enacted, that whoever not being an officer appointed under this Act, or authorized by any Regulation to collect customs or duties, shall exact customs or duties of any denomination on any pretence whatsoever, whether as principal or agent, shall be punished with imprisonment for a term not exceeding two years, or fine, or both, and furthermore shall be liable for such damages as may be obtained against him, on the suit of the party injured, by action in any of the civil courts of the Presidency of Fort St. George.

Penalty for exacting customs or duties without authority as a customs officer

LXVIII. And it is hereby enacted, that it shall be lawful for the Governor in Council of Fort St. George by an Order in Council, to transfer any of the powers given to a collector of customs by this Act to any other functionary, and to make any rules consistent with law for the carrying of this Act into effect, and to establish such wharves, and appoint such officers as he shall think fit, and to fix rates of wharfage and of rent to be paid for goods deposited or suffered to lie in the godowns of the custom-house.

The Governor in Council may transfer the powers of collector of customs to any other officer, and may make rules and appoint officers to carry this Act into effect, and fix rates of wharfage and rent.

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SCHEDULE A.

RATES of DUTY to be charged on Goods imported by Sea into any Port of the Presidency of Fort St. George.

No.	Enumeration of Goods.	When imported on British Bottoms.	When imported on Foreign Bottoms.
1	Bullion and coin - - - - -	free - - -	free.
2	Precious stones and pearls - - - - -	ditto - - -	ditto.
3	Grain and pulse other than rice and paddy	ditto - - -	ditto
4	Rice and paddy - - - - -	2 annas per bag not exceeding 2 maunds of 80 tolas to the seer, or if imported otherwise than in bags, 1 anna per maund - - -	4 annas per bag not exceeding 2 maunds of 80 tolas to the seer, or if imported otherwise than in bags, 2 annas per maund.
5	Horses and other living animals - - -	free - - -	free.
6	Ice - - - - -	ditto - - -	ditto.
7	Coal, coke, bricks, chalk, stones (marble and wrought stones excepted) - - -	ditto - - -	ditto.
8	Books printed in the United Kingdom or in any British Possession - - -	ditto - - -	3 per cent.
9	Foreign books - - - - -	3 per cent. - - -	6 per cent.
10	Marine stores, the produce or manufacture of the United Kingdom or of any British Possession - - -	3 per cent. - - -	6 per cent.
11	Ditto ditto, the produce or manufacture of any other place or country - - -	6 per cent. - - -	12 per cent.
12	Metals, wrought or unwrought, the produce or manufacture of the United Kingdom or any British Possession - - -	3 per cent. - - -	6 per cent.
13	Metals, ditto ditto, excepting tin, the produce or manufacture of any other place - - -	6 per cent. - - -	12 per cent.
14	Tin, the produce of any other place than the United Kingdom or any British Possession - - -	10 per cent. - - -	20 per cent.
15	Woollens, the produce or manufacture of the United Kingdom or any British Possession - - -	2 per cent. - - -	4 per cent.
16	Ditto, the produce of any other place or country - - - - -	4 per cent. - - -	8 per cent.
17	Cotton wool, not covered by certificate of the payment of export duty at any other port of Fort St. George - - -	9 annas per maund of 80 tolas to the seer - - -	1 rupee 2 annas per maund of 80 tolas to the seer
18	Cotton and silk piece goods, cotton twist and yarn, the produce of the United Kingdom or of any British Possession - - -	3½ per cent. - - -	7 per cent.
19	Ditto, the produce of any other place - - -	7 per cent. - - -	14 per cent.
20	Opium - - - - -	24 rupees per seer of 80 tolas - - -	24 rupees per seer of 80 tolas.
21	Salt - - - - -	3 rupees per maund of 80 tolas to the seer - - -	3 rupees per maund of 80 tolas to the seer.
22	Alum - - - - -	10 per cent. - - -	20 per cent.
23	Betel nut, raw - - - - -	5 per cent. - - -	10 per cent.
24	Betel nut, boiled - - - - -	10 per cent. - - -	20 per cent.
25	Camphor - - - - -	10 per cent. - - -	20 per cent.
26	Cassia - - - - -	10 per cent. - - -	20 per cent.
27	Cloves - - - - -	10 per cent. - - -	20 per cent.
28	Coffee - - - - -	7½ per cent. - - -	15 per cent.
29	Coral - - - - -	10 per cent. - - -	20 per cent.
30	Nutmegs and mace - - - - -	10 per cent. - - -	20 per cent.
31	Pepper - - - - -	10 per cent. - - -	20 per cent.
32	Rattans - - - - -	7½ per cent. - - -	15 per cent.
33	Tea - - - - -	10 per cent. - - -	20 per cent.
34	Vermilion - - - - -	10 per cent. - - -	20 per cent.
35	Wines and Liqueurs - - - - -	10 per cent. - - -	20 per cent.
36	Spirits - - - - -	9 annas per imperial gallon - - -	1 rupee per imperial gallon.
	And the duty on spirits shall be rateably increased as the strength exceeds London proof, and when imported in bottles, 5 quart bottles shall be deemed equal to the imperial gallon.		
37	Tobacco - - - - -	10 per cent. - - -	20 per cent.
	All articles not included in the above enumeration - - - - -	3½ per cent. - - -	7 per cent.

And

And if the collector of customs shall see reason to doubt whether the goods liable to a different rate of duty according to the place of their production come from the country from which they are declared to come by the importer, it shall be lawful for the collector of customs to call on the importer to furnish evidence as to the place of manufacture or production, and if such evidence shall not satisfy the said collector of the truth of the declaration, the goods shall be charged with the highest rate of duty, subject always to an appeal to the Governor in Council of Fort St. George.

And upon the re-export by sea of goods imported, excepting opium and salt, and all goods of the growth, production or manufacture of the continent of India, provided the re-export be made within two years of the date of import as per custom-house register, and the goods be identified to the satisfaction of the collector of customs, there shall be retained one-eighth of the amount of duty levied, and the remainder shall be repaid as drawback.

But no exporter of imported goods shall be entitled to drawback, unless the drawback be claimed at the time of re-export, nor shall any payment be made of drawback unless the amount claimed be demanded within one year from the date of entry of the goods for re-export in the custom-house register.

SCHEDULE B.

RATES of DUTY to be charged on Goods exported by Sea from any Port or Place in the Presidency of Fort St. George.

No.	Enumeration of Goods.	Exported on British Bottoms	Exported on Foreign Bottoms.
1	Bullion and coin - - - - -	free - - - - -	free.
2	Precious stones and pearls - - - - -	ditto - - - - -	ditto.
3	Books, maps and drawings, printed in India - - - - -	ditto - - - - -	ditto.
4	Horses and living animals - - - - -	ditto - - - - -	ditto
5	Cotton wool, exported to Europe, the United States of America, or any British Possession in America - - - - -	ditto - - - - -	9 annas per maund of 80 tolas to the seer.
6	Ditto ditto, exported to places other than above - - - - -	{ 9 annas per maund of 80 tolas to the seer }	{ 1 rupee 2 annas per maund of 80 tolas to the seer.
7	Sugar and rum, exported to the United Kingdom, or to any British Possession, not being a British Possession or Settlement on the Continent of India, including Bombay - - - - -	free - - - - -	3 per cent
8	Ditto ditto, exported to any other place, including any British Possession or Settlement on the Continent of India, including Bombay - - - - -	3 per cent. - - - - -	6 per cent.
9	Grain and pulse of all sorts, other than rice and paddy - - - - -	1 anna per bag not exceeding 2 maunds of 80 tolas to the seer, or if exported otherwise than in bags $\frac{1}{2}$ an anna per maund - - - - -	2 annas per bag not exceeding 2 maunds of 80 tolas to the seer, or if exported otherwise than in bags 1 anna per maund.
10	Rice and paddy - - - - -	2 annas per bag as above, or one anna per maund - - - - -	4 annas per bag as above, or 2 annas per maund
11	Indigo - - - - -	3 rupees per maund of 80 tolas to the seer }	6 rupees per maund of 80 tolas to the seer.
12	Salt, having paid the price fixed to be paid on salt declared for exportation to ports or places not being subordinate to the Presidency of Fort St George - - - - -	free - - - - -	free.
13	Tobacco - - - - -	10 per cent. - - - - -	20 per cent.
14	Opium, not covered by a pass - - - - -	prohibited - - - - -	prohibited.
	All articles not included in the above enumeration - - - - -	3 per cent. - - - - -	6 per cent.

And upon the re-export to Europe, the United States of America, or to any British Possession in America, from Madras or from any other port of the Presidency of Fort St. George, of cotton that has been imported under certificate of the payment of the duty specified in this Schedule, provided that the re-export be made in British bottoms, within two years from the date of such certificate, and the amount be claimed within one year from the date of re-export as per custom-house registers, the whole amount of export duty levied at the first place of export shall be refunded.

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SCHEDULE C.

MANIFEST of GOODS imported per							Commander,		
from			under				Colour, viz.		
Marks.	Numbers	Packages	Quantity.	Weight.	Gallons.	Yards	Description of Goods.	Invoice Value.	Tariff Value.
A.	1 p' 5	5 cases -	250 pieces	-	-	3,000	Cambrics - - - - Long cloths, bleached - - Long cloths, unbleached - Madapolams, bleached - Ditto, unbleached - - - Plain muslins - - - -		

N. B. Articles generally to be specified, excepting such as ironmongery, hardware, glass-ware, earthenware, cutlery, perfumery, confectionery, stationery and such like.
All articles from Great Britain to be entered according to the English weight, not native.
From China in like manner, in China weights.
In imports and exports of bullion or coin, to specify the sort of which they consist.

ACT No. XV. of 1844.

Passed by the Governor-General of India in Council, on the 6th July 1844.

AN ACT for amending the Schedules of Import Duties annexed to Act XIV. of 1836, to Act I. of 1838, and to Act VI. of 1844.

WHEREAS by Article XVII. of Schedule A. annexed to Act No. XIV. of 1836, by Article XVIII. of Schedule A. annexed to Act No. I. of 1838, and by Article XIX. of Schedule A. annexed to Act No. VI. of 1844, certain rates of duty are to be charged on the importation into the ports of Bengal and Orissa, and the ports subject to the Presidencies of Bombay and Madras, of cotton and silk piece goods, the produce of any place other than the United Kingdom or any British possession: And whereas it is expedient that the same rates of duties should be charged on other foreign goods of a like description:

It is hereby enacted, that from and after the 1st day of January 1845, the rates of duty prescribed for the said articles by the said Schedules, shall be charged on the importation into the ports of Bengal and Orissa, and the ports subject to the Presidencies of Madras and Bombay, of all manufactures of silk or cotton and of silk and cotton mixed with any other material, which are the produce of any place other than the United Kingdom or any British possession; and of all foreign made-up articles of the said manufactures, or of which any part of the materials is of the said manufactures.

ACT No. XVI. of 1844.

Passed by the Governor-General of India in Council, on the 27th July 1844.

AN ACT for increasing the Excise and Import Duties heretofore payable to the Government on Salt manufactured within or imported into the Territories subject to the Government of the Presidency of Bombay.

WHEREAS by Act VI. of 1844, all inland, transit and town duties levied on behalf of the Government of the East India Company, within the limits of the territories subordinate to the Presidency of Fort St. George were abolished, and the impost on salt manufactured and sold within the said territories was raised to a rate more in accordance with the tax on the same article borne by other divisions of the British possessions: And whereas, although inquiries which have been instituted as to the origin and extent of certain town duties and local cesses within the Presidency of Bombay, with a view to their abolition, have not yet been completed, it is nevertheless expedient, in order to equalize the average prices of salt within the Presidencies of Fort St. George and Bombay, to increase as well the customs duty on imported salt as the excise duty heretofore and at present payable

payable on salt that may be delivered from any salt-work within the territories subject to the Government of the Presidency of Bombay :

I. It is hereby enacted, that from the 1st day of September 1844, Section I. of Act XXVII. of 1837, shall be repealed.

II. And it is hereby enacted, that from the 1st day of September 1844, there shall be paid to the Government on every maund of 3,200 tolas weight of salt that may be delivered from any salt-work within the territories subject to the Government of the Presidency of Bombay a duty of one Company's rupee.

III. And it is hereby enacted, that Section XLIII. Act I. of 1838, shall be repealed.

IV. And it is hereby enacted, that on application by the exporter from any port of the Presidency of Bombay of any salt that has paid the excise duty fixed by Section II. of this Act, a certificate shall be granted by the collector of customs at the place of export, under authority of which certificate the quantity of salt specified therein shall be landed at any other port of the said Presidency of Bombay, and shall be passed from such port into the interior, under cover of the passes applicable to the free passage of salt without the levy of any further duty either of excise or customs.

V. And it is hereby enacted, that so much of Schedule A. appended to Act I. of 1838 as provides that on salt imported by sea into any port of the Presidency of Bombay and not covered by a pass, there shall be levied a duty of eight annas per maund of 80 tolas per seer, and so much of Schedule B. appended to Act I. of 1838, as provides that salt having paid the excise duty of eight annas a maund shall be permitted to be exported free of duty from any port or place in the Presidency of Bombay, shall be repealed.

VI. And it is hereby enacted, that on salt imported by sea into any port of the Presidency of Bombay, and not covered by a pass, there shall be levied a duty of one Company's rupee per maund of 3,200 tolas weight, and that salt having paid the excise duty of one Company's rupee per maund shall be permitted to be exported free from further duty from any port of the Presidency of Bombay.

ACT No. IX. of 1845.

Passed by the Governor-General of India in Council, on the 17th of May 1845.

AN Act for amending the Schedules of Import Duties annexed to Act XIV. of 1836, to Act I. of 1838, and to Act VI. of 1844, and for repealing Act XV. of 1844.

I. It is hereby enacted, that from and after the 1st day of June 1845, so much of Schedule A. annexed to Act XIV of 1836, so much of Schedule A. annexed to Act I. of 1838, and so much of Schedule A. annexed to Act VI. of 1844, as relates to the rates of duty to be charged on the goods next hereinafter specified be repealed.

Marine stores, the produce or manufacture of the United Kingdom or of any British Possession.

Marine stores, the produce of any other place or country.

Metals, wrought or unwrought, the produce or manufacture of the United Kingdom or of any British Possession.

Metals, wrought or unwrought, excepting tin, the produce or manufacture of any other place

Woollens, the produce or manufacture of the United Kingdom or of any British Possession.

Woollens, the produce of any other place or country.

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Cotton and silk piece goods, cotton twist and yarn, the produce of the United Kingdom or of any British Possession.

Cotton and silk piece goods, cotton twist and yarn, the produce of any other place.

Wines and liqueurs

Spirits.

All manufactured articles, not included in the enumeration contained in the said Schedules.

II. And it is hereby enacted, that from and after the said 1st day of June 1845, all the provisions of the three above-mentioned Acts which have reference to so much of the Schedules A. to those Acts respectively annexed as is repealed by this Act, shall, from and after the said day, be taken to have reference to the Schedule annexed to this Act, as if the Schedule annexed to this Act had been part of each of the Schedules A. above-mentioned.

III. And it is hereby enacted, that Act XV. of 1844, intituled, "An Act for amending the Schedules of Import Duties annexed to Act XIV. of 1836, to Act I. of 1838, and to Act VI. of 1844," be repealed.

SCHEDULE.

RATES of DUTY to be charged on the following Goods imported by Sea into any Port of the Presidencies of *Fort William in Bengal, Bombay or Fort St. George.*

Enumeration of Goods.	When imported on British Bottoms	When imported on Foreign Bottoms.
Marine stores, the produce or manufacture of the United Kingdom or of any British Possession	5 per cent.	10 per cent.
Ditto ditto, the produce or manufacture of any other place or country	10 per cent.	20 per cent.
Metals, wrought or unwrought, the produce or manufacture of the United Kingdom or of any British Possession	5 per cent.	10 per cent.
Metals, ditto ditto, the produce or manufacture of any other place	10 per cent.	20 per cent.
Woollens, the produce or manufacture of the United Kingdom or of any British Possession	5 per cent.	10 per cent.
Woollens, the produce of any other place or country	10 per cent.	20 per cent.
Cotton and silk piece goods, and all manufactures of cotton or silk, except thread, twist and yarn, or of cotton or silk mixed with any other material, the produce of the United Kingdom or of any British Possession	5 per cent.	10 per cent.
Ditto, the produce of any other place	10 per cent.	20 per cent.
Cotton thread, twist and yarn, the produce of the United Kingdom or of any British Possession	3½ per cent.	7 per cent.
Ditto, the produce of any other place	7 per cent.	14 per cent.
Porter, ale, beer, cyder and other similar fermented liquors	5 per cent.	10 per cent.
Wines and liqueurs	1 rupee per imperial gallon.	2 rupees per imperial gallon.
Spirits	1 rupee and 8 annas per imperial gallon.	3 rupees per imperial gallon.
And the duty on spirits shall be rateably increased as the strength exceeds London proof, and when imported in bottles, five quart bottles shall be deemed equal to the imperial gallon.		
All manufactured articles, not included in the above enumeration	5 per cent.	10 per cent.

CALCUTTA

CALCUTTA GAZETTE, 18 December 1839.

Legislative Department, 2 December 1839.

THE following Regulation, made and passed by the Honourable Court of Directors of the East India Company, under the authority given to them by the Act of the 37th George III., c. 117, is published for general information, by order of the Honourable the President of the Council of India in Council.

A REGULATION relating to the Trade of Foreign Ships with India.

WHEREAS a Regulation was made and passed by the Court of Directors of the East India Company, and transmitted to India by a despatch dated the 28th day of July 1837, and promulgated by the Supreme Government on the 29th day of December 1837, for rescinding and re-enacting, with modifications, certain provisions contained in a Regulation made and passed by the said Court of Directors on the 12th of August 1829, for regulating the trade of foreign nations with the ports and settlements of the British nation in the East Indies : And whereas doubts have arisen as to the true intent and meaning of certain parts of such Regulation, and it is expedient that such doubts should be removed ; the Court of Directors of the said Company, by virtue of the powers granted to them by the Act passed in the 37th year of the reign of his late Majesty King George the Third, intituled, "An Act for regulating the Trade to be carried on with the British Possessions in India by the Ships of Nations in amity with His Majesty," have rescinded the whole of the said Regulation, and in lieu thereof have framed the following Regulation :

Foreign ships belonging to any state or country in Europe, or in America, so long as such states or countries respectively remain in amity with Her Majesty, may freely enter the British sea-ports and harbours in the East Indies, whether they come directly from their own country or from any other place, and shall be there hospitably received, and shall have liberty to trade there in imports and exports, conformably to the Regulations established or to be established in such sea-ports; provided that it shall not be lawful for the said ships to receive goods on board at one British port of India to be conveyed to another British port of India, on freight or otherwise; but nevertheless, the original inward cargoes of such ships may be discharged at different British ports, and the outward cargoes of such ships may be laden at different British ports for their foreign destinations; and provided further, that it shall not be lawful for the said ships in time of war between the British Government and any state or power whatsoever, to export from the said British territories, without the special permission of the British Government, any naval or military stores, saltpetre or grain.

(signed) *J. P. Grant,*
 Officiating Secretary to the Government of India.

CALCUTTA GAZETTE, 3 December 1836.

Fort William ; General Department, 30 November 1836

THE Right Honourable the Governor-general of India in Council, under the powers conferred upon him by the 3d section of the Act 6 & 7 Will. 4, c. 26, is pleased to appoint and direct that it shall be lawful to import into any of the districts, provinces and places hereunder mentioned, foreign sugar, or sugar the growth of any British possessions into which foreign sugar can be legally imported, and to except the same from the operation of the prohibition contained in the said clause of the said Act, viz.—

- 1 The settlements of Singapore, Malacca and Prince of Wales' Island, and their respective dependencies.
2. The settlements of the Tenasserim coast.
3. The province of Arracan, with its dependencies the islands of Ramree and Cheduba.

By order of the Right Honourable the Governor-general of India in Council.

(signed) *H. T. Prinsep,*
 Secretary to Government.

CALCUTTA GAZETTE, 12 March 1845.

Fort William; Home Department, Separate, Revenue, 1 March 1845.

THE Right Honourable the Governor-general in Council is pleased to direct the publication of the following Resolution:—

Resolution.—The Right honourable the Governor-general in Council is pleased to resolve, that so much of the resolution of the Government of India, dated the 30th November 1836, as excepted the settlement of Prince of Wales' Island and Province Wellesley from the operation of the prohibition contained in the 3d section of the Act 6 & 7 Will. 4, c. 26, and made it lawful to import therein foreign sugar, or sugar the growth of any British possessions into which foreign sugar can be legally imported, be cancelled; and the permission thereby given to import such sugars into the settlement of Prince of Wales' Island and Province Wellesley, is accordingly hereby rescinded.

CALCUTTA GAZETTE, 1 July 1837

Fort William; General Department, 14 June 1837.

UNDER the authority conveyed to the Governor-general of India in Council by Act No. XIV. of 1837, it is hereby directed that goods imported into Calcutta, in the vessels of any of the states and territories hereinunder-mentioned in which British vessels are received and treated on terms as favourable as native vessels, and likewise goods exported from the port of Calcutta in the vessels of such states and territories, shall be treated and dealt with in all respects as goods imported and exported in British bottoms.

1. The ports of Arabia and of the Persian Gulf;
2. Ports in the Red Sea belonging to the Ruler of Egypt; and
3. The dominions of the King of Ava.

By order of the Right honourable the Governor-general of India in Council,

(signed) *H. T. Prinsep*,
Secretary to Government.

CALCUTTA GAZETTE.

Fort William; Separate Department, 9 January 1839.

UNDER the authority conveyed to the Governor-general of India in Council by Act No. XIV. of 1837, it is hereby directed, that goods imported into the several ports of the Presidency of Bombay, in the vessels of any of the states and territories hereinunder mentioned, in which British vessels are received and treated on terms as favourable as native vessels, and likewise goods exported from the ports of Bombay in the vessels of such states and territories, shall be treated and dealt with in all respects as goods imported and exported in British bottoms.

1. The ports of Arabia and of the Persian Gulf;
2. Ports in the Red Sea belonging to the Ruler of Egypt; and
3. The dominions of the King of Ava.

By order of the Honourable the President in Council,

(signed) *H. T. Prinsep*,
Secretary to the Government of India.

CALCUTTA

CALCUTTA GAZETTE, 30 October 1844.

NOTIFICATION.

THE Right Honourable the Governor of Bengal, with the concurrence of the Supreme Government of India, has been pleased to determine that from and after the 11th November 1844, the rate of duty to be charged on salt imported by sea into any part of the Presidency of Fort William in Bengal, shall be Three Company's rupees on every maund of 3,200 tolahs.

From and after the same date, the whole of the salt in store at the different depôts, will be available to the public at the following wholesale prices :

Name of Depôt.	Price per 100 Maunds.	Name of Depôt.	Price per 100 Maunds
Hidgellee :	<i>Rs.</i>	Chittagong :	<i>Rs.</i>
Kalnuggur - - -	375	Sudder Ghat, and Doomp-	
Kishennugger - - -	370	kali - - - -	387
Terropykea - - -	390	Arrakan salt - - -	382
Ramnuggur - - -	360	Sulkea .	
Tumlook :		Cuttack - - - -	413
Naranpoor - - -	385	Khordah - - - -	419
24 Pergunnahs .		Balasore - - - -	418
Naranpoor - - -	395	Chilka - - - -	424
		Madras Kur- {1st quality	365
		kutch - {2d ditto	362
		- {3d ditto	360

The Government reserves to itself the power of reimposing the full amount of duty authorized by law, should circumstances arise to render such a measure necessary ; but no alteration whatever will be made either in the duty now fixed on imported salt, or in the prices to be paid for salt sold by wholesale on account of Government before the 1st August 1845.

Collectors of the land revenue, and all officers of the Government in fiscal charge of districts, are hereby directed to make known the substance of this notification as widely as possible throughout their several jurisdictions.

The Board of Customs, Salt and Opium will issue the necessary instructions to their subordinates in the salt and customs departments.

By order of the Right honourable the Governor of Bengal.

(signed) *Frederick James Halliday,*
Secretary to the Government of Bengal.

EXTRACT from the Proceedings of Government in the Territorial Department,
Revenue, dated 18 September 1844.

NOTIFICATION.

THE Government of India having directed, with reference to a despatch from the Honourable the Court of Directors, dated the 3d of July last, that the excise and import duty payable under Act XVI. of 1844, on salt manufactured within or imported into the territories subject to the Government of the Presidency of Bombay, shall be reduced from one rupee to 12 annas per maund of 3,200 tolas ; the Honourable the Governor in Council is pleased to notify that the said excise and import duty is hereby reduced accordingly.

Bombay Castle,
14 September 1844.

(signed) *E. H. Townsend,*
Secretary to Government.

BENGAL.

To the Board of Customs, Salt and Opium, dated the 12th June 1843.

Gentlemen,

I AM directed by the Honourable the Deputy-governor of Bengal to transmit to you the annexed extract (paras. 3 and 4) of a despatch from the Honourable the Court of Directors, dated 5th April 1843, No. 2, and to request that your Board will be pleased to issue the necessary orders for discontinuing the collection of the duty charged upon tea, the manufacture of this country, and exported on British bottoms to the United Kingdom.

I have, &c.

(signed) *C. Beadon,*

Under-secretary to the Government of Bengal.

Fort William,
12 June 1843.

EXTRACT from a Letter from the Honourable the Court of Directors, dated
5 April 1843, No. 2.

Para. 3. It has been represented to us, that the three per cent. export duty levied on the Assam tea at Calcutta operates as a hardship.

4. We are of opinion, that for the present at least, the levying of this duty might be discontinued, and we accordingly authorize you, on the receipt of this despatch, to give the necessary directions for discontinuing the collection of the rates charged upon tea the manufacture of the country, and exported on British bottoms to the United Kingdom.

(True extract.)

(signed) *T. R. Davidson,*

Officiating Secretary to the Government of India.

CALCUTTA GAZETTE, 5 July 1845.

Fort William; Home Department, 28 June 1845.

NOTIFICATION.

THE Right Honourable the Governor-general of India in Council deeming it right that every encouragement should be given to the importation of machinery into India, both for the improvement of the communications and for the development of the commercial resources of the country, is pleased to resolve, that machinery and plate iron prepared for the hulls of steamers be, from this date, exempt from the payment of duties of customs on importation into the territories of the East India Company, until further notice.

By order of the Right Honourable the Governor-general of India in Council.

(signed) *G. A. Bushby,*

Secretary to the Government of India.

FORT ST. GEORGE GAZETTE, 2 July 1844.

Fort St. George, 27 June 1844.

UNDER the decision of Her Majesty's Government, communicated to this Government by the Honourable the Court of Directors, the Most Noble the Governor in Council is pleased to declare, that the produce of Mysore will be treated in the United Kingdom and in India as that of a British possession; and he accordingly directs, that all orders which have been issued for prohibiting the admission of sugar, the produce of the Mysore territories, into the provinces of this Presidency, be withdrawn.

Published by order of the Most Noble the Governor in Council.

(signed) *G. D. Drury,*

Chief Secretary.

CALCUTTA

CALCUTTA GAZETTE, 23 November 1842, No. 230.

Fort William; Separate Department (Customs), 17 November 1842.

NOTIFICATION.

THE following forms are prescribed to be in force and effect from and after the 1st January 1843, for the export of cotton or cotton wool free of duty to the United Kingdom, from any port of the East India Company's possessions in India, indirectly through a port of Ceylon.

Under declaration by an exporter of cotton from any port of British India, in a ship or vessel bound to a warehousing port of Ceylon, that the cotton is there intended to be re-shipped for the United Kingdom, the amount of duty leviable thereupon under any law in force at the place of exportation, shall be taken in a bond signed by known householders of such place of export, the condition of which bonds shall be, that the amount of duty shall be paid in full at the end of six months from the date, unless there shall be produced a certificate from the customs collector of the port of Ceylon to which the vessel is bound, declaring the cotton so exported to have been shipped for Great Britain or for some port of Europe in a British ship, of which the name and captain's name shall be stated.

And such certificate shall be written by the Ceylon collector of customs on the face of a pass-note to be given to the first exporter by the collector of customs at the Indian port of export, which pass-note shall describe the article and its mode of packing, marks and numbers, and shall state the quantity and quality, and the name of the shipper and consignee of the goods; and the certificate of re-export to the United Kingdom shall contain a declaration of the identity of the article re-exported with that described in the pass-note.

By order of the Honourable the President of the Council of India in Council.

(signed) *G. A. Bushby*,
Secretary to the Government of India.

(True copies.)

East India House, }
26 February 1846. }

T. L. Peacock,
Examiner of India Correspondence.

TARIFFS, &c. (BRITISH INDIA).

COPIES of the existing TARIFFS, and COMMERCIAL REGULATIONS of BRITISH INDIA, and the Dependencies thereof, on EXPORTS and IMPORTS.

(Mr. Hume.)

*Ordered, by The House of Commons, to be Printed,
10 March 1846.*

[Price 10d.]

116.

Under 12 oz.

E A S T I N D I A.

RESOLUTIONS of the COURT of DIRECTORS of the EAST INDIA COMPANY, being the Warrants or Instruments granting any Pension ; submitted to the Honourable the House of Commons, in pursuance of the Acts of the 53 Geo 3, c. 155, s. 88, and 55 Geo. 3, c. 64.

Ordered, by The House of Commons, to be Printed, 19 May 1846

RESOLUTIONS of the COURT of DIRECTORS of the EAST INDIA COMPANY, being the Warrants or Instruments granting any Pension ; submitted to the Honourable the House of Commons, in pursuance of the Acts of the 53 Geo 3, c. 155, s. 88, and 55 Geo 3, c. 64.

N A M E	Amount of Pension.	Amount of Additional Charge.	Date of Court's Resolution. *	COURT'S RESOLUTION
Viscount Hardinge	£. 5,000 per annum.	£. 5,000 per annum.	29th April 1846 ; and unanimously approved and confirmed by the General Court of the East India Company, on the 13th and 15th May 1846 Approved and confirmed by the Right Hon the Board of Commissioners for the Affairs of India, on the 15th May 1846.	Resolved unanimously, That as a special mark of the high sense entertained by the East India Company of the eminent services of Lieutenant-general the Right Honorable Viscount Hardinge, Knight Grand Cross of the Most Honorable Military Order of the Bath, Governor General of India, in bringing to a speedy and triumphant issue the hostilities caused by the unprovoked invasion by the Sikh army of the dominions of the British Government, and in dictating, in a spirit of justice and moderation, the arrangements for the restoration of peace, an annuity of Five Thousand Pounds (5,000 l), commencing from the date when the British troops arrived at Lahore, be granted to his Lordship, for the term of his natural life, subject to the sanction of the General Court of Proprietors, and to the approbation and confirmation of the Board of Commissioners for the Affairs of India. That, advertent to the provisions of the 76th and 77th sections of the Act of 3 & 4 Will 4, c. 85, application be made to Parliament for a Bill to enable Viscount Hardinge to receive the annuity in question, without any diminution of his salary as Governor General of India.
Lord Gough	£. 2,000 per annum.	£. 2,000 per annum	29th April 1846 ; and unanimously approved and confirmed by the General Court of the East India Company, on the 13th and 15th May 1846 Approved and confirmed by the Right Hon. the Board of Commissioners for the Affairs of India, on the 15th May 1846	Resolved unanimously, That as a special mark of the high sense entertained by the East India Company of the eminent services of General Lord Gough, Knight Grand Cross of the Most Honorable Military Order of the Bath, Commander-in-Chief of the Forces in the East Indies, in gallantly leading the armies of India under his command to successive victories, involving results of great national importance, an annuity of Two Thousand Pounds (2,000 l), commencing from the date when the British troops arrived at Lahore, be granted to Lord Gough, for the term of his natural life, subject to the sanction of the General Court of Proprietors, and to the approbation and confirmation of the Board of Commissioners for the Affairs of India.

East India House, }
18 May 1846.

JAMES C. MELVILL.

EAST INDIA.

**RESOLUTIONS of the COURT of DIRECTORS
of the EAST INDIA COMPANY, being the
Warrants or Instruments granting any Pension ;
&c.**

*(Presented pursuant to Acts 53 Geo. 3, c. 155, s. 88, and 55
Geo. 3, c. 64.)*

*Ordered, by The House of Commons, to be Printed,
19 May 1846.*

SCINDE.

RETURN to an ADDRESS of the Honourable The House of Commons,
dated 16 June 1846, —for,

A “COPY of any DOCUMENTS authorizing the Annexation of the Province
of *Scinde* to the *British* Empire in *India*.”

India Board, }
17 June 1846 }

JOCELYN

Ordered, by The House of Commons, to be Printed, 18 June 1846

(Extract.)

THE Governor-General of India to the Secret Committee of the East India
Company.

“Agra, 23 March (No. 20) 1843.

“MY desire now is to restore to Joudpore and Jussulmere whatever formerly belonged to them; and to Bawulpore all, or nearly all, that formerly belonged to that state; but certainly in the case of Bawulpore, perhaps in the cases of Joudpore and Jussulmere, although much less important, I should desire to make the retrocessions conditional upon some stipulations on the part of those states for the diminution of the duties on transit now levied by them; and I should wish also to make a diminution of the duties now levied by Bickaneer a part of the general arrangement for the alleviation of the existing burthens upon trade.

“The remainder of the country lately ruled by the Ameers, with the exception of such territories as may of right belong to Meer Ali Morad, I intend to reserve under our own dominion permanently, unless I should receive directions from you for the making of any other disposition thereof.”

SCINDE.

A COPY of any DOCUMENTS authorizing the
Annexation of the Province of *Scinde* to the
British Empire in India.

(*Mr Hume.*)

Ordered, by The House of Commons, to be Printed,
18 June 1846

EX - RAJA OF SATTARA.

RETURN to an ORDER of the Honourable The House of Commons,
dated 22 July 1846;—for,

“ A COPY of the LETTER, dated the 23d of August 1845, written by the Court of Directors of the East India Company, in reply to the Despatch from the Government of *Bombay*, dated the 31st of March 1845, No. 38, respecting the Case of the Ex-RAJA of *Sattara*.”

India Board, }
22 July 1846 }

G. BYNG.

COPY of a DESPATCH from the Court of Directors of the East India Company to the Government of *Bombay*; dated 23 August 1845, No. 21.

1. YOUR Political Letter, No. 38 of 1845, contains the report which we had called for on the papers connected with the case of the Ex-Raja of *Sattara*, which had been communicated to us through Mr. Hume.

2. A large portion of these papers consisted of petitions and statements by one Krustnajee Suddasee Bheday. Your previous letter, No. 94 of 1844, had transmitted to us various petitions which the same individual had addressed to your Government, and your opinion thereon.

3. Krustnajee was the individual by whom the petition of Geerjabhaee, mother of Govind Row Wittul, submitted to Government on the 13th December 1836, was drawn up and penned.

4. This person now alleges that he was guilty of forgery; that the petition did not proceed from Geerjabhaee, but was prepared by himself at the instigation of Ballajee Punt Nathoo, who promised him a bribe of 1,250 rupees for the act; but having only received 150 rupees, he charges the Punt with withholding the remainder, and with numerous acts of corruption in the *Sattara* State. He has also charged Lieutenant-colonel Ovans with the corrupt receipt of money from the Raja of *Sattara*.

5. It appears that when this individual first complained to Government of the non-payment of 1,250 rupees, his complaint was against Geerjabhaee, who, he affirmed, had promised him that sum for writing her petition, and had given him a written document to that effect, which he had given up to the resident through Ballajee Punt Nathoo. What he at that time solicited was the aid of Government in recovering the amount promised to him by Geerjabhaee. This request being repeatedly rejected, he next advanced charges of bribery against Ballajee Punt, but adhered for some time to his original story respecting Geerjabhaee. Even in his fifth application (which was made to the agent for Sirdars) he still averred that the testimony he gave in the investigation respecting the Ex-Raja was true. On finding that all his applications were rejected, and his accusations against the Punt not made a subject of inquiry, he then addressed himself to us, denying for the first time his former assertions, and declaring that he had forged the petition, which ostensibly proceeded from Geerjabhaee.

6. If this individual had really committed the crime which, without any apparent sense of shame, he now avows, his attempt to extort 1,250 rupees from Geerjabhaee as payment for writing, in her name, a paper which he forged for her injury, would be an act of atrocity hardly less infamous than the offence itself.

7. Such being the course which this individual has pursued in his successive attempts to attain his own ends at whatever cost to his own character, we think that you acted quite properly in treating with entire disregard any statements or accusations proceeding from a man who has so disgraced himself.

8. His testimony in the investigation respecting the Ex-Raja was of no importance, the authenticity of Geerjabhaee's petition not resting upon his assertion, but upon her own acknowledgment, made, according to the statement of Lieutenant-colonel Ovans, to that officer at a personal interview.

CASE OF THE EX-RAJA OF SATTARA.

9. A more important part of the subject, however, remains. Among the papers which we transmitted to you were documents purporting to be a denial by Geerjabhaee of her having authorized the petition, or visited Lieutenant-colonel Ovans in the manner alleged; a denial by her brother Vishnoo Kessoo Devustley, of his having ever appeared as a witness, or given the testimony ascribed to him; and a declaration by Govind Row Dewan, that his statements to Mr. Hutt were made under compulsion and from fear of his life, and were altogether false.

10. You do not express any doubt of the genuineness of these documents; you referred them to Lieutenant-colonel Ovans and to Mr. Hutt respectively. Lieutenant-colonel Ovans affirms that he knew Geerjabhaee's person, and that she did visit him in the alleged manner; and Mr. Hutt not only denies all Govind Row's statement, but proves that it entirely misrepresents the nature of his confinement, which was not in a "dark dungeon," but in a house engaged on purpose, and which left him as much at liberty as was consistent with allowing no one to see him without permission from the Resident.

11. Although the information which you have transmitted throws no light upon the motives of these persons, inducements are easily conceivable which may have led them to disavow the testimony, however true, which, under circumstances that are now changed, they gave against their patron.

12. It is only further necessary to say, that the papers and facts now before us have made no change in our opinions upon the case of the Ex-Raja.

We are, &c.

(signed) *H. Willock.*
J. W. Hogg, &c.

EX-RAJA OF SATTARA.

COPY of Despatch from the Court of Directors of the East India Company to the Government of Bombay, dated 23d August 1845, respecting the Case of the Ex-Raja of Sattara.

Ordered, by The House of Commons, to be Printed,
22 July 1846.

29 July 1846.—10 VICT.



A

B I L L

To provide for the better Regulation of
Episcopal Revenues and Dioceses.

[Note.—The Words printed in *Italics* are proposed to be inserted in
the Committee.]

WH **H**EREAFTER by an Act passed in the sixth and seventh years
of the reign of his late Majesty KING WILLIAM the Fourth,
after reciting as therein is recited, certain persons therein named were
incorporated into a body politic, by the name of the Ecclesiastical
5 Commissioners of England, who were empowered to take and purchase
lands: And whereas it is desirable to enlarge the powers of the Eccle-
siastical Commissioners, and to increase the number of Bishops for
England and Wales, and to distribute the Dioceses of Bishops more
equally than they now are, and more justly to apportion Episcopal
10 Revenues;

Preamble ·
Recital of 6 & 7
Will 4

BE it therefore Enacted, by The QUEEN's most Excellent
MAJESTY, by and with the Advice and Consent of the Lords
Spiritual and Temporal, and Commons, in this present Parliament
assembled, and by the Authority of the same, THAT from and after the
15 *passing of this Act*, all the lands, tenements and hereditaments, funds,
securities and property, and all the estate whatsoever, legal or equitable,
or otherwise, belonging or appertaining or held in trust for or for the
benefit of the See of any Archbishop or Bishop, shall, by virtue of this
Act, and without any other conveyance or assurance, become abso-
20 lutely vested in the Ecclesiastical Commissioners for England and
Wales, to be held for the purposes and upon the trusts hereinafter
provided.

1.
All Episcopal
Property to vest in
the Ecclesiastical
Commissioners.

2.
All rights connected
with Episcopal
Property to be vested
in the Ecclesiastical
Commissioners.

And be it Enacted, That the said Commissioners shall, for the purpose of enforcing the payment of all rents, dividends and profits, and of recovering the possession of all lands, tenements, funds, monies, securities, effects and property, and for leasing and selling, conveying, exchanging or otherwise dealing with the same, and converting such property, have not only all such powers and authorities as any Archbishop or Bishop had before the passing of this Act, not only under any Acts of Parliament but in right of the See, but also all such powers and authorities with reference to episcopal property as the said Commissioners now have relating to the property of Deans and Chapters and other Ecclesiastical bodies and persons under the various statutes now in force conferring powers on such Commissioners; and all contracts, rights, powers and privileges, and also all liabilities of any Archbishop or Bishop connected with property of any kind connected with the See of any Archbishop or Bishop, shall devolve on the said Commissioners as fully and completely as if such Commissioners had been at all times the owners of all such property, estates, funds, securities and premises; and the production of this Act shall authorize the payment and transfer, by the Accountant-General of the High Court of Chancery, the Accountant-General of the Bank, and all bodies and persons, of any monies, stocks, funds, securities, and any estate or interest of whatever kind, whether legal, equitable or otherwise, to the said Ecclesiastical Commissioners.

3.
For creating
Nineteen new
Bishops.

And be it Enacted, That from and after the passing of this Act there shall be, in addition to the Archbishops and Bishops now exercising episcopal authority, Nineteen Bishops, who shall be with all future Archbishops and Bishops elected and appointed by The Queen's most Excellent Majesty in Council, without any previous election of the Dean and Chapter of any Collegiate Church, or of any Ecclesiastical or other body; and that it shall be lawful for Her Majesty in Council at all times to order and appoint the time and place of consecrating and installing and duly and legally appointing any such Archbishop or Bishop as Her Majesty by Order in Council shall direct.

All Bishops to be
appointed by The
Queen in Council.

4.
For distribution of
the Dioceses.

And be it Enacted, That from and after the passing of this Act, the Archiepiscopal and Episcopal Dioceses of England and Wales shall be distributed in manner hereinafter mentioned; (that is to say)

Canterbury .

The Diocese of Canterbury shall be under the jurisdiction of the Archbishop of Canterbury, and shall consist of the whole of the County of Kent (except those Parishes in the County of Kent which are included in the Diocese of Rochester, and except those Parishes which are to be included in the Dioceses of London or Westminster), and of the Parishes of Croydon and

and Addington and the District of Lambeth Palace, in the County of Kent, and the Deaneries of Dallington and Hastings, in the County of Sussex :

5 That the Diocese of York shall be under the jurisdiction of the Archbishop of York, and shall consist of the whole of the following Wapentakes or places in the North Riding of Yorkshire ; (that is to say) Allerton Shire, Birdforth, Bulmer, Langhaugh Liberty, Pickering by the Wapentake, Ryedal Wapentake, Whitby, Strand Liberty, the Ouse and Derwent 10 Wapentake in the East Riding, and the Amstey Liberty in the West Riding, and the County of the City of York .

York .

15 That there shall be a Bishop of Beverley, whose Diocese shall consist of the whole of the East Riding of the County of York, except those parts comprised in the last-mentioned Diocese of the Archbishop of York :

Beverley :

20 That the Diocese of the Bishop of Ripon shall consist of the Wapentakes or places following, (i. e.), East Gilling, West Gilling, Hallkeld, East Hang, West Hang in the North Riding of the County of York, and of the following Wapentakes or places in the West Riding of the County of York, (i. e.), Claro Staincliffe and Ewcross West, and Staincliffe and Ewcross East :

Ripon :

25 That there shall be a Bishop of Selby, whose Diocese shall consist of the whole of the West Riding of Yorkshire, except the Wapentakes or places of Claro Staincliffe and Ewcross West, and Staincliffe and Ewcross East :

Selby .

30 That the Diocese of the Bishop of London shall consist of the City of London and the County of Middlesex (except the Precincts of Westminster Abbey and the Parishes of Saint Margaret and Saint John the Evangelist, in the City of Westminster), and the Parishes of East Ham, West Ham, Little Ilford, Low Layton, Walthamstow, Wanstead, Saint Mary Woodford, and Chingford in the County of Essex, and the Parishes of Lee, Charlton, Lewisham, Greenwich, Woolwich, 35 Eltham, Plumstead and Saint Nicholas Deptford, in the County of Kent, and Saint Paul's Deptford, in the Counties of Kent and Surrey; and the Borough of Southwark, and the Parishes of Battersea, Bermondsey, Camberwell, Christchurch, Clapham, Fulham, Rotherhithe, Streatham, Tooting, Graveney, Wandsworth, Merton, Kew and Richmond in Surrey; and the Parishes of Saint Mary Newington, Barnes, Putney, Mort-

London :

lake and Wimbledon, and that part of the Parish of Lambeth not comprised in the District of Lambeth Palace, in the County of Surrey :

- Westminster :** That there shall be a Bishop of Westminster, whose Diocese shall comprise the Precincts of the Abbey, of Saint Peter, the Parishes of Saint Margaret and Saint John the Evangelist, in the City of Westminster, the whole of the County of Surrey, (except those Parishes hereinbefore appropriated to the respective Dioceses of Canterbury and London), the Town and Parish and Palace of Bromley in Kent, and the Parishes comprised in the Lathe of Sutton-at-Hone, except those Parishes in the said Lathe of Sutton-at-Hone above included in the Diocese of London : 5
- Sodor and Mann :** The Diocese of the Bishop of Sodor and Mann shall comprise the Isle of Mann, and the Bishop shall become a Peer of Parliament : 15
- Bangor .** The Diocese of the Bishop of Bangor shall comprise the Counties of Caernarvon and Merioneth, and the Isle of Anglesea :
- Saint Asaph** The Diocese of Saint Asaph shall comprise the Counties of Flint, Denbigh and Montgomery :. 20
- Saint David's :** The Diocese of the Bishop of Saint David's shall comprise the Counties of Pembroke and Carmarthen, and the Parishes comprised in the Deanery of Subayron, in the County of Cardigan : 25
- Brecon :** That there shall be a Bishop of Brecon, whose Diocese shall comprise the Counties of Brecknock and Radnor, and the Parishes and Places comprised in the Deanery of Upper Ayrton, in the County of Cardigan :
- Llandaff :** That the Diocese of the Bishop of Llandaff shall comprise the County of Glamorgan : 30
- Saint Neot's :** That there shall be a Bishop of Saint Neot's, whose Diocese shall comprise the Counties of Bedford and Huntingdon :
- Windsor :** That there shall be a Bishop of Windsor, whose Diocese shall comprise the whole County of Buckingham, and the Parishes and Places contained in the Deanery of Reading, in the County of Berks : 35

That

- 5 That the Diocese of the Bishop of Ely shall comprise the Ely
County of Cambridge, the Parishes and Places contained in
the Deaneries of Fordham and Clare, in the County of Suffolk,
and the Deaneries of Lynn and Fincham, in the County of
Norfolk :
- That the Diocese of the Bishop of Chester shall comprise the Chester
County of Chester :
- 10 That there shall be a Bishop of Cornwall, whose Diocese shall Cornwall
comprise the County of Cornwall and the Deanery of Plymp-
ton, or Plymouth and Tamerton, in the County of Devon and
the Scilly Isles
- That the Diocese of Carlisle shall consist of the County of Carlisle
Cumberland
- 15 That there shall be a Bishop of Chesterfield, whose Diocese Chesterfield
shall comprise the County of Derby
- That the Diocese of the Bishop of Exeter shall comprise the Exeter
whole of the County of Devon (except the places comprised
in the Deaneries of Plympton and Tamerton) to form part
of the Diocese of Cornwall .
- 20 That there shall be a Bishop of Sherborne, whose Diocese shall Sherborne
consist of the County of Dorset .
- That the Diocese of the Bishop of Durham shall consist of the Durham
County of Durham :
- 25 That the Diocese of the Bishop of Rochester shall consist of the Rochester
City of Rochester and the places in the Deanery of Rochester,
in the County of Kent, and of the County of Essex, except
those parts apportioned to the See of London hereinbefore men-
tioned, and the See of Saint Alban's hereinafter mentioned .
- 30 That the Diocese of the Bishop of Gloucester shall contain the Gloucester :
whole County of Gloucester, except those parts in the
Deanery of Bristol and the Parishes comprised in the Deanery
of the Forest .
- That the Diocese of the Bishop of Winchester shall comprise Winchester :
the whole of the County of Hants, except the parts comprised
in the Deanery of Dakinsford, and except the Isle of Wight,
to form part of the Diocese of Chichester .

- Hereford** That the Diocese of Hereford shall contain the County of Hereford, and the places in the respective Deaneries of Clun and Ludlow, in the County of Salop :
- Saint Alban's :** That there shall be a Bishop of Saint Alban's, whose Diocese shall comprise the County of Herts, and the places in the Deaneries of Dunmow, Newport and Sampford, in the County of Essex : 5
- Manchester :** That there shall be a Bishop of Manchester, whose Diocese shall comprise the places in the Deaneries of Blackburn, Layland, Manchester and Warrington, and the Parishes in the Town of Preston : 10
- Melton Mowbray :** That there shall be a Bishop of Melton Mowbray, whose Diocese shall consist of the Counties of Leicester and Rutland :
- Lincoln :** That the Diocese of the Bishop of Lincoln shall comprise the whole County of Lincoln, except those parts in the respective Deaneries of Stamford, Ness, Corringham and Manlake : 15
- Bristol :** That the Diocese of Bristol shall consist of the City of Bristol, and all the places in the Deaneries of Bristol, in the County of Gloucester and the County of Monmouth, and also the places in the Deanery of the Forest, in the County of Gloucester. 20
- Peterborough :** That the Diocese of the Bishop of Peterborough shall comprise the County of Northampton, and the places in the Deaneries of Stamford and Ness, in the County of Lincoln :
- Hexam :** That there shall be a Bishop of Hexam, whose Diocese shall comprise the whole of the County of Northumberland and the Town of Berwick-upon-Tweed : 25
- Southwell :** That there shall be a Bishop of Southwell, whose Diocese shall comprise the County of Nottingham, and the places in the Deaneries of Corringham and Manlake, in the County of Lincoln : 30
- Norwich :** That the Diocese of Norwich shall consist of the whole County of Norfolk, except the Deaneries of Lynn and Fincham, which are to form part of the Diocese of Ely :
- Oxford :** That the Diocese of the Bishop of Oxford shall comprise the County of Oxford and the County of Berks (except those parts hereinbefore apportioned to the See of Windsor) :

That

PERSIA

A RETURN of MONIES received from the EAST
INDIA COMPANY, and of Expenditure on
Account of the PERSIAN MISSION.

(Mr. Hume.)

*Ordered, by The House of Commons, to be Printed,
25 August 1846.*

FOR EXPENSES OF THE BRITISH MISSION, A

BRITISH MISSION in *Persia*, for the Years 1835 to 1845, both inclusive.

1839.		1840.		1841.		1842.	
	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£
Half salary deducted on account of absence.	3,000 --	-- Half salary on account of absence.	3,000 --	Half salary to 31 July 1,752 14 4 Full from 31 July 2,494 11 3	4,247 5 7	Full salary to 12 May 2,102 6 -- Half do. to 8 Nov. 1,403 10 11	3,505
6l a day	2,190 --	6l a day	2,196 --	6l. a day to 31 July	1,272 --	6l a day from 12 May	1,404
	900 --		900 --		900 --		900
	700 --		700 --		700 --	Salary to 31 March	175
	400 --		399 12 8		400 --		625
	300 --		300 --	Salary to 31 March	75 --		
	360 --		360 --		360 --	Salary to 17 June	167
	218 --	Salary from 1 April	108 --		102 10 --		218
	120 --		120 --	Salary from 1 April	120 --		120
				Salary from 16 Aug.	300 --	Salary to 5 August	400
					112 10 --	Salary from 1 Oct	171
From 31 Oct 1839	93 4 2		559 8 --		559 8 --		40
From 16 Dec 1839	15 7 6		369 --		369 --		36
	8,206 11 8		9,011 15 8		9,577 8 7		8,78
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
449 -- 8		229 11 2		1,309 6 7		1,418 17 7	
118 14 6		61 9 9		984 5 7		301 4 3	
362 16 2		292 18 1		590 19 7		303 12 9	
522 --		445 -- 8		311 2 6		759 8 --	
182 6 --		208 11 8		537 17 1		456 9 6	
319 14 8		383 13 2		331 10 11		412 15 --	
109 15 4		151 10 4		226 4 4		133 18 10	
23 4 7		159 6 9		291 2 9		501 7 2	
	2,087 11 6		1,872 1 7		4,582 3 4		4,347
	10,384 3 2		10,883 17 3		14,159 11 11		13,133

EXPENDITURE

	£ s. d.
For 1835	9,203 3 3
1836	16,788 16 1
1837	11,760 2 4
1838	17,061 8 5
1839	10,384 3 2
1840	10,883 17 3
1841	14,159 11 11
1842	13,133 6 11
1843	8,340 8 6
1844	10,780 4 5
1845	12,068 4 --
£	194,563 6 7

FOR EXPENSES OF THE BRITISH MISSION, AND RELATIONS WITH PERSIA.

British Mission in Persia, for the Years 1835 to 1845, both inclusive.

1835.		1836.		1837.		1838.		1839.		1840.		1841.		1842.	
£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.
Half salary deducted for account of absence.	3,000	Half salary on account of absence.	3,000	Half salary on 11 July 1837 till 31 July 2,404 11 3	4,247 4 7	Half salary on 19 May 2,092 0 till 8 Nov. 1,431 10 11	3,523 11 10					On 11 £ 2,000 Sal from 13 Nov. 1839 to 31 Oct. 1840 1,000	2,000 0 0		
On 1 day	3 00	On 1 day	2 00	On 1 day to 31 July	1,372	On 1 day from 12 May	1,404	On 1 day	2 00	Salary to 14 Nov. amount £ 500	500	Salary to 14 Nov. amount £ 500	500	Salary to 14 Nov. amount £ 500	500
	90		90		90		90		90						
	70		70		70	Salary to 31 March	127								
	400		324 12 8		400		325		700						
	400		400	Salary to 31 March	75										
	354		350		360	Salary to 17 June	185 2 10								
	218	Salary from 1 April	168		102 0 0		218		218						
	120		120	Salary from 1 April	120		120		120						
				Salary from 16 Aug.	300		400		400						
					112 10	Salary to 5 Aug. and	174 5 0		75	Salary to 18 Jan.	40 10 8				
From 31 Oct 1839	31 4 3		503 0		503 8		497		504 14 4			Salary from 13 Dec.	30		
From 16 Dec 1839	15 7 0		860		860		860		860			Salary to 14 Dec.	290		
	8,200 11 8		8,014 15 8		8,522 8 9		8,763 13 9		8,412 11				8,175 6 9		
£. s. d.	320 11 2	£. s. d.	320 11 2	£. s. d.	1,200 6 2	£. s. d.	1,117 17 7	£. s. d.	902 7 10	£. s. d.	807 13 0	£. s. d.	806 7 3	£. s. d.	806 7 3
112 44 6		31 0 0		384 5 7		401 4 3		202 2 2		188 2 4		418 0 3		418 0 3	
332 36 2		282 16 1		590 10 7		303 12 0		516 38 7		415 5 10		323 12 5		323 12 5	
522		515		311 2 6		750 8		751 11 11		260 4 6		559 37 9		559 37 9	
182 6		308 11 8		337 11 1		400 0 0		185 8 3		187 10 1		1 03 10 1		1 03 10 1	
310 14 8		358 13 2		331 10 11		412 15		44 9 12		303 11 11		351 4 8		351 4 8	
100 15 4		151 10 4		256 4 1		130 18 10		230 23 2		258 8 5		134 16 11		134 16 11	
23 4 9		150 6 9		261 2 6		501 7 2		178 3 5		270 0 6		430 5 6		430 5 6	
	2,067 11 0		1,874 1 7		4,588 3 1		4,247 11		2,162 17 6						
	10,984 3 2		10,889 17 3		14,129 11 11		13,433 5 6		8,340 8 6						

EXPENDITURE

Year	£. s. d.
1835	9,203 3 3
1836	10,748 16 1
1837	11,700 2 4
1838	17,001 8 5
1839	10,521 3 2
1840	10,687 12 3
1841	14,129 11 11
1842	13,433 5 6
1843	8,340 8 6
1844	20,720 4 9
1845	12,068 6 0
Total	134,563 6 7

W. H. Murray, Treasurer, 27, Abchurch Lane.

- That there shall be a Bishop of Wolverhampton, whose Diocese shall comprise the Hundred of Seisdon, in the County of Stafford, and the County of Salop (except those parts apportioned to the See of Hereford): Wolverhampton
- 5 That the Diocese of the Bishop of Bath and Wells shall comprise the County of Somerset: Bath and Wells
- That there shall be a Bishop of Litchfield, whose Diocese shall comprise the County of Stafford (except that portion comprising the Hundred of Seisdon, hereinbefore apportioned to the See of Wolverhampton): Litchfield
- 10
- That there shall be a Bishop of Hadleigh, whose Diocese shall comprise the County of Suffolk (except those places allotted to the See of Ely): Hadleigh
- That the Diocese of Chichester shall comprise the County of Sussex (except those parts allotted to the See of Canterbury), and the places in the Deaneries of Dakinsford, in the County of Hants, and the Isle of Wight: Chichester
- 15
- That there shall be a Bishop of Coventry, whose Diocese shall comprise the County of the City of Coventry and the County of Warwick, and those detached portions of the Counties of Worcester and Gloucester abutting on the County of Warwick: Coventry
- 20
- That there shall be a Bishop of Kendal, whose Diocese shall consist of the County of Westmorland, and those portions of the County of Lancaster not included in the Diocese of Manchester: Kendal
- 25
- That the Diocese of the Bishop of Salisbury shall comprise the County of Wilts: Salisbury
- That the Diocese of Worcester shall comprise the County of Worcester (except the Parish of Dudley, which shall be in the Diocese of Litchfield), and those detached portions of Warwickshire, Staffordshire and Shropshire, in the County of Worcester. Worcester
- 30
- 35 And be it Enacted, That after the *passing of this Act* the said Ecclesiastical Commissioners shall cause a return to be made and an accurate account to be taken of the income of every Archbishop or Bishop, on the average of *Seven Years* immediately preceding the taking
5.
Return of Income
of Archbishops, &c.
on the average of
last Seven Years,
and Stipend to be
paid.

taking such account, and when such sum shall be ascertained, there shall be paid to every Archbishop and Bishop who shall have been appointed before the passing of this Act such a yearly sum, free from all outgoings and charges of every kind, as shall be equal to the clear annual income of any such Archbishop or Bishop on such average of *Seven Years* for and during his natural life, or for such period as he shall continue an Archbishop or Bishop; and that from and after the death of any such Archbishop or Bishop, the said Ecclesiastical Commissioners shall pay to the Lord Archbishop of Canterbury who shall next succeed to the present Archbishop the yearly sum of *Ten thousand Pounds*, to the succeeding Archbishop of York the yearly sum of *Eight thousand Pounds*, to the Bishop of London the yearly sum of *Six thousand Pounds*, to the Bishops of Durham and Winchester next succeeding the present Bishops of those Sees the yearly sum of *Five thousand and Five hundred Pounds*, and to the Bishop of Westminster, to be appointed under this Act, the yearly sum of *Five thousand and Five hundred Pounds*, and to each of the successors of the Bishops already in being, and to the new Bishops to be created by virtue of this Act, the yearly sum of *Three thousand Pounds*, and all such respective sums to be paid quarterly at the four most usual days of payment, and shall be free and clear of the first-fruits, tenths and all payments heretofore payable in respect of Episcopal Offices, property or otherwise, and shall also be free and clear of income or property tax

6.
Providing for deficiency of Income out of the Consolidated Fund

AND whereas the said Commissioners may find that the income and property of Archiepiscopal and Episcopal bodies may be insufficient to provide for the present payment of the various sums hereinbefore mentioned, and that the deficiency should be provided for, BE it Enacted, That before the assembling of Parliament every Session an account of the anticipated income for the ensuing year to arise from such property shall be made out by the said Ecclesiastical Commissioners, and the same shall be laid before Parliament forthwith after the assembling of Parliament, together with an account of the sum which will be necessary to provide not only for the expense of the management of all such property, and for the expense of carrying this Act into execution, but for the deficiency of the payment to such Archbishop and Bishop according to the rate hereinbefore provided, and the amount of such deficiency shall be paid upon a Vote of Parliament by the Commissioners of Her Majesty's Treasury of the United Kingdom of Great Britain and Ireland out of the Consolidated Fund of the said United Kingdom, and the same shall be paid to the said Ecclesiastical Commissioners for the purpose of distribution, as hereinbefore directed

And

And be it Enacted, That all such advances to be made out of the Consolidated Fund as aforesaid shall be repaid by the said Ecclesiastical Commissioners as the said episcopal property will admit, and at such periods as shall be settled and determined by the said Ecclesiastical Commissioners and the Lords Commissioners of Her Majesty's Treasury; and in the meantime all such property, and all the revenues, estates, rights and interests of the said Commissioners in such property acquired under or by virtue of this Act shall stand and remain charged with all such sums of money as shall be paid to them as aforesaid under the powers of this Act

7.
Sums advanced by Consolidated Fund to be repaid.

And be it Enacted, That all sums of money payable under this Act shall be paid to the Archbishop or Bishop alone, and his receipt alone shall discharge the said Ecclesiastical Commissioners, and that it shall not be lawful for any Archbishop or Bishop to charge, alien, assign or anticipate the said payment, so as to confer the right on any person or persons whomsoever to receive the same by virtue or under colour of any charge or assignment, and any deed, instrument or transaction charging, assigning or anticipating any such sum of money payable by virtue of this Act, shall be absolutely null and void to all intents whatsoever.

8.
For preventing Sale or charging Income.

And be it Enacted, That when there shall be any surplus of income or revenue arising from such property so hereby vested in the said Commissioners, after paying the sums of money hereinbefore authorized, and the taxes, charges and outgoings of management, and otherwise, the same shall be applied for such purposes as the Governors of the Bounty of Queen ANNE are now by law empowered to apply property under their control.

9.
Surplus Revenues to be applied as the Governors of Queen Anne's Bounty

And be it Enacted, That the Archbishops and Bishops to be continued and appointed under this Act, shall have the rights and privileges of Peers of Parliament, and all other rights, privileges and authorities, save and except as hereinafter mentioned, (that is to say), that the Two Archbishops, and the Bishops of London, Durham, Winchester and Westminster, shall be entitled to sit in the House of Lords as Lords Spiritual at all times, but that the remaining Bishops shall sit in alternate Sessions, (that is to say), *Twenty* in each Session of Parliament, and that the *Twenty* Bishops first to sit in the House of Lords shall be entitled according to the date of their consecration: Provided always, That nothing herein contained shall deprive any Bishop existing at the time of the passing of this Act of his right to sit in the House of Lords as a Lord Spiritual, and that no Bishop to be appointed under this Act shall be entitled to the privileges of a Peer of Parliament until the death or removal of any Bishop living at the time of the passing of this Act.

10.
Archbishops and Bishops to be Peers of Parliament, except that the number of Seals not to be increased

Proviso, that the Act does not affect present Bishops as to Seals in the House of Peers.

11.
That Episcopal Duties and Privileges are to be confined to the territorial Division hereby made

And be it Enacted, That all the duties of each Archbishop and Bishop shall be determined according to the territorial division of the Kingdom hereinbefore authorized, and in no other way; and that no Archbishop or Bishop shall in any way possess any privilege or exercise any episcopal functions whatever other than are immediately 5
connected with the Diocese hereby allotted; and the said Ecclesiastical Commissioners are hereby empowered and directed to cause notice to be issued and published in the London Gazette, and in such public newspapers as they may think fit, and also to be notified in 10
such other way as they may think fit, that all the powers and authorities heretofore exercised by any Archbishop or Bishop in any Diocese are to be limited according to this Act, and that thenceforth all the duties and functions shall be discharged by such Archbishop or Bishop of the Diocese hereby created: Provided that nothing herein contained shall extend to deprive the Archbishops of Canterbury and York 15
from exercising the general controlling functions of Archbishops over the whole of each province of Canterbury and York, as the same existed before the passing of this Act.

Providing that the Archiepiscopal controlling Jurisdiction shall remain unaffected over the whole of each province of Canterbury and York

12.
To enable the Ecclesiastical Commissioners to provide suitable Residences for Bishops.

And be it Enacted, That, for the purpose of providing proper residence for any Bishop, it shall be lawful for the said Commissioners, 20
and they are hereby empowered to select and set apart any edifice now existing in any Diocese which may be suitable, and if there shall not be in any Diocese any such fit edifice, it shall be lawful for the said Ecclesiastical Commissioners and they are hereby directed to erect a proper and suitable residence out of the property of the said Commissioners acquired under this Act, and for this purpose to mortgage or 25
charge the same, and also to sell any palaces or residences which may not be necessary by reason of the division of the Dioceses hereby made: Provided always, That the said Commissioners shall not (except with his consent) deprive any Archbishop or Bishop now 30
existing of any palace or residence which he has or may have been accustomed to occupy before the passing of this Act before the alteration of such Diocese.

Proviso, not to deprive any existing Bishop of Residence without consent.

13.
Her Majesty may remove or suspend any Archbishop or Bishop, and for providing for the execution of his functions.

And be it Enacted, That it shall be lawful for Her Majesty in Council, in case of the illness, incapacity, negligence or improper discharge of the duties of his office, by any Archbishop or Bishop, to 25
remove or suspend him for such time as Her Majesty shall deem fit and by Order in Council declare; and as the case may be, and the exigency shall require, Her Majesty is hereby authorized to provide for the due exercise of the functions of any Archbishop or Bishop in such way as Her Majesty shall in Council be pleased to order, and 40
such order shall be published in the London Gazette and otherwise, as shall be commanded by Her Majesty; and it shall also be lawful
for

for Her Majesty in Council to provide for the payment of a proper stipend, either out of the sum of money payable to the Archbishop or Bishop to be so removed, or suspended either wholly or partially, or to require the said Ecclesiastical Commissioners to make such pay-
5 ment as shall by any such Order of Council be expressed. Provided always, That it shall not be necessary for Her Majesty, in case of the suspension of any such Archbishop or Bishop, to order the withholding any part of his stipend, if Her Majesty in Council shall so determine

And be it Enacted, That the word " County" shall for the purposes of
10 this Act extend to include every Riding, Division, County of a City, Liberty, Franchise, extra parochial parts or places, and every portion whatever comprised within the geographical boundary of a County; and that the word " Person" shall be taken to mean every body politic, corporate, collegiate or otherwise; and that the words " Land" and
15 " Property" shall comprise all hereditaments, tenements, tithes, oblations, fees, and all descriptions of profit or advantage accruing to or connected with episcopal property or persons.

14.
Interpretation
clause.

And be it Enacted, That, save so far as this Act expressly interferes therewith, the provisions of the said Statute of the sixth and seventh of
20 WILLIAM the Fourth, chapter Seventy-seven, all the powers and provisions contained in that Act, or any other Act relating to ecclesiastical persons and affairs, shall remain in full force.

15.
Act not to repeal
Statutes.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

16.
Act may be amended
this Session.

Episcopal Revenues and Dioceses.

A

B I L L

To provide for the better Regulation of
Episcopal Revenues and Dioceses.

*(Prepared and brought in by
Mr Frewen and Mr Colquhoun.)*

*Ordered, by The House of Commons, to be Printed,
29 July 1846.*

537.

Under 2 oz.

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P A P E R S

RELATING TO

THE ARTICLES OF AGREEMENT

CONCLUDED BETWEEN

THE BRITISH GOVERNMENT

AND

THE LAHORE DURBAR,

On the 16th of December, 1846,

FOR

THE ADMINISTRATION OF THE LAHORE STATE DURING
THE MINORITY OF THE MAHARAJAH DULEEP SING.

*Presented to both Houses of Parliament by the Command of Her Majesty,
March 1847.*

LONDON:
PRINTED BY T. R. HARRISON.

Papers relating to the Articles of Agreement concluded between the British Government and the Lahore Durbar, on the 16th of December, 1846, for the Administration of the Lahore State during the minority of the Maharajah Duleep Sing.

No. 1.

The Governor-General of India to the Secret Committee of the East India Company.

(Extract.)

Simla, September 3, 1846. (No. 36)

THE expression of my disappointment at the dilatory proceedings of the Durbar, in paying up the arrears of the disbanded troops, and the decided terms in which the Political Agent has been instructed to discourage all hope of the British garrison being retained in Lahore, beyond the end of the year, will probably prevent the Ranee and the Durbar from making any application for that purpose, as they must be aware that such solicitations for the continuance of foreign troops in the capital, must produce an effect on the minds of the Chiefs and the army, very unfavourable to the Regent and her Minister.

I am confident no permanent advantage to the interests of the Maharajah's Government would be derived from delay. Such a course, notwithstanding the good terms on which the British troops have remained with the people and the Sikh soldiery, would cause discontent to the troops, as well as the Chiefs, and excite great mistrust of the ultimate intentions of the British Government.

It is, therefore, my intention to withdraw the troops at the end of December, in accordance with the Articles of Agreement made with the Lahore Durbar, on the 11th of March, by which the British force was not to be detained at Lahore beyond the expiration of the current year.

The differences between the Lahore Durbar and the Dewan of Mooltan may be considered as adjusted, the Durbar waving, for the present, the claim to station a Sikh garrison in Mooltan, and, as eighteen lacs of the revenue in arrear are ready to be paid into the Lahore Treasury, I trust that a portion of this sum will be immediately appropriated to satisfy the just claims of the old and new army.

If the next four months be diligently employed in completing their military arrangements, I anticipate no events which can render it an expedient course to prolong the occupation of Lahore by the British troops.

The opinion of Mr. Lawrence, as to the prospect of establishing a permanent Sikh Government, after the British troops withdraw from Lahore, is as satisfactory as I had any reason to expect. The main difficulty in carrying on a Government will consist in satisfying the expectations of the Chiefs, who, having received large jagheers from the favour or the fear of the various rulers in the Punjab, during the last five years of anarchy, are unwilling to submit to the reductions which justice and state necessity demand. These necessary measures of economy, if enforced by any Minister, would have caused the same Chiefs to combine against him; and there can be no doubt that Rajah Lal Sing in the performance of this duty, has made many enemies, each Chief resenting the Minister's act as a personal injury to himself, and being probably disposed to

revenge his wrong by those violent and vindictive means resorted to in all countries, but more especially in the East. The life of the Vizier must therefore be considered in danger. Of this danger he is well aware, and he seems disposed to secure his person by surrounding himself with Affghans and foreigners.

Every act of the British Government will be carefully shaped, so as to give the Minister every possible support; and no means will be omitted, to prove to the Government of the Maharajah the sincerity of our advice, and the impartiality of our conduct, on all points of conflicting interests arising out of the Treaty.

A change of the Vizier may suddenly take place by some act of violence similar to those which have so frequently been committed of late years at Lahore; but such a crime, however much to be deplored, will not, as I have before remarked, be decisive as to the stability of a Sikh Government. There is, I believe, a very strong desire on the part of the Chiefs and the people to preserve their national institutions and the Raj; and, if the selfish views and combinations of the Chiefs against the Government can admit of a compromise, and a regular system of paying the army should be adopted, I see no cause why a permanent Sikh Government may not be established.

The Maharajah's Government has no external enemy which it cannot successfully resist and punish; and it has strength sufficient to overcome all internal commotions from Mussulman tribes or other disaffected parties within its territories. Any differences with the Maharajah Golab Sing that may arise, are to be settled by British arbitration; and British counsel and good offices have been usefully interposed to adjust the differences with the Dewan of Mooltan.

A great change has been effected in the minds of the most turbulent classes of the Sikhs towards the British authorities; a change brought about by the just and judicious proceedings of the Political Agents, and also by the admirable discipline which has been maintained amongst the British garrison, by the temper and good management of Major-General Sir John Littler, K.C.B.

I am happy to say the garrison continue to be healthy, although the heat was stated to be excessive.

I do not apprehend that Sheik Imamooddeen will push his resistance any further, after the orders he has received from Lahore, and from Lieutenant-Colonel Lawrence.

The two forces, of the Maharajah Golab Sing and the Sheik, being in presence of each other, may, by accident, come to blows; but the interests of the two chiefs are opposed to such a contingency, and, by a letter recently received by Lieutenant-Colonel Lawrence from the Maharajah Golab Sing, it is evident he does not seem to expect a collision.

The Maharajah Golab Sing has sent five lacs of rupees to Kangra, in part payment of the twenty-five lacs of indemnity money due next October, which will complete the seventy-five lacs to be paid by the Maharajah under the Treaty; and I notice the fact as an indication of his readiness to fulfil all his engagements with punctuality.

No. 2.

The Governor-General to the Secret Committee.

(Extract)

Simla, September 19, 1846. (No. 39.)

THE Officiating Agent, in pursuance of his instructions, has repeatedly declared to the Durbar, in the most decisive terms, that the British garrison would be withdrawn from Lahore during the month of December, in accordance with the Articles of Agreement, and the expressed determination of the Governor-General.

He was instructed to make this declaration to the different members of the Durbar, in order that there might be no misunderstanding, and that all might be prepared for the event. The declaration has been the means of eliciting, from the members of the Government, and the most influential Chiefs, their real sentiments as to the prospect of a Sikh Government being able to stand, when the British troops leave Lahore.

The result of these conversations with the different members of the Durbar has been a conviction for some days past, in the mind of the Officiating Agent, that the Government of the Vizier Rajah Lal Sing cannot be carried on when the British troops withdraw.

The only dissentient member of the Government appears to have been Dewan Deena Nath, who, before he left Lahore on his mission to Mooltan, stated to the Officiating Agent, that he saw no reason why the Government of Rajah Lal Sing should not stand, if the Rajah would conciliate the dissatisfied Chiefs.

The Vizier himself has voluntarily disclosed to Mr. Lawrence his apprehensions that the Government could not be carried on, and requested him to wait on the Maharanee the same evening, the 10th of September.

The Vizier Rajah Lal Sing, Bhaee Ram Sing, and the Faqeer Noorooddeen, his colleagues in the Government, were present, when Her Highness declared, that the existence of the Government, her own safety, and that of the young Prince Duleep Sing, depended on the British troops remaining at Lahore; that, if the troops withdrew, she must take her fate, but that evil would certainly arise on their departure.

The Durbar acquiesced in the Maharanee's sentiments, when the Officiating Agent very properly declared, that he had no expectation that the British Government would assent to any proposal for leaving the British troops in Lahore; and, after recapitulating the manner in which the advice of the Governor-General had been repeatedly neglected, concluded the interview by recommending the Durbar to express their wishes in writing to the Governor-General; the Officiating Agent having explained to them that he had no authority to hold out any hope that the application they had mentioned would be successful.

These opinions of the Vizier and the Durbar, you will observe, are in direct contradiction to their reiterated declarations. The application is also opposed to the terms of the Agreement of the 11th of March.

I directed the Secretary to the Government, Mr. F. Currie, to approve of the course taken by the Officiating Agent, and again to instruct him to hold out no hope of my acquiescing in such a request, and I desired the Officiating Agent to impress upon the Durbar my determination that the troops should be withdrawn at the prescribed period; and the instruction concludes by expressing my readiness to pay due attention to any proposals for a modification of the existing arrangements which the Maharanee and the Durbar may wish to make, and requiring the Durbar distinctly to state their reasons for making them.

I have subsequently received a letter from the Officiating Agent, of the 13th instant, stating that, on the preceding day, the Vizier had expressed to him a hope that the British Government would consent to allow the troops to remain six months beyond the prescribed term in Lahore, to which the Officiating Agent replied in the same terms as before.

You will observe that, since the 3rd of September, when I last addressed you, the hope then expressed by the Officiating Agent, that a Sikh Government might be able to stand when left to its own resources, has changed into conviction that it will fail, and the Vizier has now, for the first time, with the concurrence of the Regent and his colleagues of the Durbar, admitted that he will be unable to carry on the Government, unless he is supported by the British troops.

The Officiating Agent is well aware of my objections to hold the capital or the country, on the subsidiary system, that is, of employing British troops in maintaining a native administration, without the means of controlling its acts.

Since the receipt of the Officiating Agent's letters, reporting his own change of opinion, in consequence of the disclosures made by the Vizier's colleagues and other leading Chiefs, I have, for some days past, had my attention engaged in considering the best means of averting the confusion and anarchy which may ensue, if the British troops be withdrawn in December, and have been in daily communication with the Political Agent, Lieutenant-Colonel Lawrence, to whom the Officiating Agent's letters are sent, and in whose local experience and general knowledge of the Punjab I place the greatest reliance.

You will observe that, in the present state of the Punjab, I must assume that the declarations of the Vizier and his colleagues, in admitting their inability to retain power, and carry on the Government, are sincere, and that their apprehensions are well founded. It remains, however, to be seen whether they will adhere to this view of their own inability, if the condition imposed of prolonging the occupation of Lahore should require the transfer of power from their hands to those of a British officer, residing at the capital, assisted by a Native Council, and supported by British troops.

I state this as being the alternative to which I may be induced to resort, if the Maharanee and Durbar should determine upon placing themselves in the hands of the British Government, and the influential Chiefs and people should agree with them in preferring this course, to that of withdrawing our troops from Lahore at the end of December, in strict fulfilment of the Agreement of the 11th of March, and leaving the Maharajah's Government to struggle through the difficulties in which, for the last six years, it has so constantly been involved.

In my last dispatch I explained the reasons which would induce me to determine on withdrawing the British troops from Lahore, in the month of December.

The avowal of the Vizier and his colleagues, on the 10th of September, has not been elicited by any suggestions offered to him by the Officiating Agent. That officer has treated the Vizier uniformly with respect, and his declarations have not originated in any attempt to excite his fears; but they appear to be the voluntary impressions of his own judgment, as shown in former conversations shortly after the Officiating Agent's arrival, when he expressed the danger, to which he was daily exposed, of being assassinated.

I have no doubt that the Vizier and the Durbar are convinced of the sincerity of the British Government's purpose to promote the establishment of a permanent Hindoo Government in the Punjab, and that the British Government has no desire to interfere in their internal affairs.

The Durbar has profited by our advice and mediation in settling their differences with the Dewau of Mooltan. They know that the Political Agent has abstained from enforcing the Article of the Treaty for the payment of the arrears to the disbanded soldiery, in order that the British authorities might not appear to court popularity at the expense of the Vizier's Government; that the greatest pains have been taken, and most successfully, to maintain a strict discipline amongst our troops, that the inhabitants of their great city can, for the first time during many years, sleep in safety; that the insolence and rapine of the Khalsa soldier have been repressed, and that, upon the whole, a most favourable change has been effected in the feelings of the Sikh people, and even soldiery, towards the British authorities, since the occupation of the capital in March last.

There can be no doubt of the great improvement of our relations with the people of the Punjab, in this short space of time, which is corroborated by the satisfaction which has followed the assessment of lands made in the Julunder and the ceded territories.

I notice this state of popular feeling, as far as it can be correctly ascertained, not only because its existence is a satisfactory proof that the occupation has been followed by desirable results, but because this disposition, on the part of the people, to confide in our justice and lenity, will be an essential means of carrying on a Government through a British Minister, if such an expedient should be adopted. At any rate you will be enabled to form a correct judgment of the present state of our relations with the Punjab.

In my despatch of the 3rd instant, I stated my impression that no permanent advantage to the Maharajah's interests, or to our own, would be derived by the continued presence, under existing circumstances, of our troops at Lahore. That opinion remains unaltered.

I do not think that the British Government would be justified in supporting a native Government in the Punjab, merely because it may conduce to the safety of a Regent, and a Minister obnoxious to the Chiefs and people, and to whom the British Government owes no obligations. These are the very individuals who, for personal interests of their own, excited the Sikh soldiery to invade the British frontier; and considerations of humanity to individuals would

AMOUNTS RECEIVED FROM THE EAST INDIA COMPANY, SINCE 1835,

STATEMENT in Detail of the EXPENDITURE on Account of the

RANK.	NAMES.	1835.		1836.		1837.		1838.	
		£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
SALARIES AND OUTFITS.	Ambassador	Right Hon. Henry Ellis (from 24 July 1835 to 2 Nov. 1836)	Outfit - 2,208 Sal ^y from 24 July 2,888	5,088	Salary to 2 Nov. - 5,882 1 11				
	Envoy Extraordinary and Minister Plenipotentiary	Sir John MacNeill (from 4 June 1836 to 8 Nov. 1842)			Outfit 1,000 Sal ^y from 4 June 3,428 11 5	5,028 11 5	6,000	6,000	
	Charge d'Affaires	Colonel Justin Sheil (from 14 November 1844) Colonel Justin Sheil (from 1 January 1839 to 31 July 1841, and from 12 May 1842 to 14 November 1844)							
	Secretary of Embassy	Sir Jean MacNeill (from 1 October 1835 to 4 June 1836) J. P. Riach (acting to 1 Oct. 1836)	Outfit - 400 Sal ^y from 1 Oct. - 276 13	670 13	Salary to 4 June - 514 5 8	150			
	Secretary of Legation.	Colonel Justin Sheil (from 1 April 1836 to 14 November 1844) Colonel Francis Farrout (from 43 December 1844)			Outfit - 300 Sal ^y from 1 April 675	975	900	900	
	Physician	Dr. J. P. Riach (from 1 October 1836 to 31 March 1842)				175	700	700	
	Surgeon	Charles William Bell (from 1 April 1835 to 31 July 1845) G. J. Bell (from 1 August 1845)	Outfit - 134 Sal ^y from 1 April - 800	434		400	400	400	
	Private Secretary to Ambassador	Captain Stuart (from 27 July 1835 to 8 November 1836)	Outfit - 100 Sal ^y from 27 July 128	228	Salary to 8 Nov. - 256				
	Military Secretary	Charles Stoddart (from 1 April 1835 to 26 June 1837) W. T. Thomson (from 12 June 1837 to 31 March 1841)	Outfit - 50 Sal ^y from 1 April 112 10	162 10		150	Salary to 27 June - 73 7		
	Commander of Escort	D. H. R. Macdonald (from 4 November 1835 to 9 May 1836) Charles Stoddart (from 10 May 1836 to 17 June 1842)	Salary from 4 Nov. -	56	Salary to 9 May - Salary from 10 May	128 11 5 231	360	360	
	Persian Secretary	Meerza Abbas (from 1 November 1835 to 31 December 1839) Meerza Agha (from 1 April 1840)	Salary from 1 Nov. -	36 8 8		218	218	218	
	Persian Treasurer	Meerza Ibrahim (from 1 November 1835 to 30 September 1836) Moollah Mahomed Sauleh (from 1 October 1836)	Salary from 1 Nov. -	20		50	120	120	
	1st Attaché	W. T. Thomson (from 1 April 1841)							
	2d Attaché	Thomas Tod (from 1 August 1841 to 5 August 1842) Lord Napier (from 1 October 1842 to 13 January 1843) Henry Mann (from 13 December 1844)							
	3d Attaché	R. Glen (from 1 January 1844)							
	Military Attaché	Colonel Francis Farrout (from 31 Oct. 1839 to 13 Dec. 1844)							
	Conductor and Clerk	Joseph Reed (from 16 Dec. 1839)							
	TOTALS OF SALARIES AND OUTFITS				6,095 9 8	14,228 10 5	9,637 3 8	8,998	
	CONTINGENCIES.	Journales on service and removals of the Mission		£. s. d.	1,200 5 8	279 19	524 10 9	5,972 13 11	
Presents to the Shah and his family, and customary presents to public officers and others, on the New Year, and on audiences of the Shah				803 5	477 19 10	223 5	200 12		
Expenses of Couriers between the residence of the Mission and the frontiers of Turkey				21 10	250 10 8	335 16 8	592 6 6		
Ditto between the frontiers of Turkey and Constantinople					509 10 2	523 14 7	586 18 10		
Rent of houses for the Mission, and repairs and furniture for ditto				5 15 3	81 8 1	235 2 11	147 4 3		
Wages of servants and guards attending on the Mission				52 5 7	484 9 2	449 6 3	354 19 4		
Expense of horses kept for the service of the Mission				42 1 5	249 2 3	245 8	135 17 1		
Other miscellaneous expenses				287 10 4	227 6 6	215 11 10	72 16 6		
TOTALS OF CONTINGENCIES				2,507 13 7	2,560 5 8	2,722 18 8	8,063 8 5		
TOTAL EXPENSE OF THE MISSION FOR EACH YEAR			£.	9,203 3 3	16,788 16 1	11,760 2 4	17,061 8 5		

Received from the East India Company

	£. s. d.
For 1835	12,000
1836	11,950 4 7
1837	12,000
1838	12,000
1839	12,000
1840	10,556 16 9
1841	12,000
1842	12,000
1843	12,000
1844	12,000
1845	12,000

130,507 1 4

Received from Civil Contingencies in 1837	1,447 8 10
Ditto in 1839	5,415 16 8

137,370 6 10

134,563 6 7

AVAILABLE BALANCE in hand at the end of 1845 = £. 2,807 - 3

P E R S I A.

RETURN to an ORDER of the Honourable The House of Commons,
dated 20 August 1846;--for,

AN ACCOUNT “ of the Amounts received from the EAST INDIA COMPANY in each Year, since January 1835, for the Expenses of the BRITISH MISSION, and relations with *Persia*; also, an Account of the manner in which these Amounts have been Annually expended, stating the Name of every Person receiving more than £.150 a Year, and the Amounts paid to each Person in each Year, and also the other Expenses, under different Heads, in each Year.”

(*Mr. Hume.*)

Ordered, by The House of Commons, to be Printed,
25 August 1846.

be no plea for employing British bayonets in perpetuating the misrule of a native State by enabling such a Government to oppress the people.

Our interference, if it should ever be called in, must be founded on the broad principle of preserving the people from anarchy and ruin, and our own frontier from the inconvenience and insecurity of such a state of things as that which, it is assumed, will follow when the British troops retire.

To continue to hold Lahore, without reforming the evils so clearly existing under the Vizier's Government, would not only, if that Government is to remain as it is now constituted, be an infraction of the Agreement entered into on the 11th of March, but would, in all probability, be an unsuccessful attempt. If the various classes who now justly complain of the misrule of the Regent and the Vizier, find that a British force, in opposition to the terms of the Treaty, continues to occupy Lahore in support of a bad Government, the confidence which we have inspired up to the present time, will be changed into mistrust of our intentions; the Sikh troops remaining unpaid would refuse to serve at the distant stations, and, with a British garrison at Lahore, the whole of the country beyond the Ravee would not fail to be a scene of disorder and bloodshed. I, therefore, adhere to the opinions expressed in my last dispatch, that the British garrison ought not to remain beyond the stipulated period, if a Native Government continues to administer the affairs of the Punjab.

I have, since my arrival in India, constantly felt and expressed my aversion to what is termed the subsidiary system, and, although it was probably most useful and politic in the earlier period of British conquest in India, I have no doubt of its impolicy at the present time, but more especially on this, the most vulnerable, frontier of our empire.

The period of the occupation of Lahore was expressly limited to the end of this year, for the purposes specified in the Agreement of the 11th of March, namely, that the Sikh army having been disbanded by the VIth Article of the Treaty, a British force should be left to protect the person of the Maharajah and the inhabitants of the city, during the reorganization of the Sikh army. By the XVth Article of the Treaty it was stipulated that the British Government would not exercise any interference in the internal affairs of the Lahore State.

At that time, the entreaties of the Regent for our assistance appeared to me not only reasonable, but as imposing upon me a moral duty, exacting, as I was at that very time, from the Lahore Government, the disbandment of their mutinous army. It is true this assistance, and the whole measure of occupation, was no part of the original policy in framing the Treaty, for you are aware that the application for our troops was made after the Treaty had been signed. But it was evident I had no alternative, if I felt confident, as I then did, that the British garrison would be able to effect its declared objects without compromising the safety of the troops. I, therefore, did not hesitate to afford the aid solicited, although I did so with reluctance.

On every occasion, the Lahore Government has been assured that the British Government deprecates interference in their affairs; they have been informed that our troops were ready to retire at any moment, if the reorganization of the Sikh army, and the improved state of the country, would admit of their being withdrawn.

It may be further observed, that the occupation of Lahore could not be considered in the light of a subsidiary arrangement, because the instructions given to the General officer and to the Political Agent, were, that the garrison was placed there to preserve the peace of the town, but was not to be employed in any expedition, even between the Ravee and the Sutledj.

The force was expressly given as a loan of troops for a peculiar emergency, and to aid the Lahore Government in carrying out an essential Article of the Treaty, which required the disbandment of their army. No payment was demanded, except for certain extra allowances granted to the native troops, whilst serving beyond the Sutledj.

If, therefore, the proposals of the Regent and the Durbar are merely confined to a further loan of British troops for six months, on the plea that a Hindoo Government cannot be carried on, unless supported by British bayonets, I am of opinion that the application must be refused.

There has been ample time for the reorganization of the Sikh army, and

by proper management the Durbar could have fulfilled the limited objects for which the British force was left at Lahore. The means of effecting these objects have been invariably neglected, in opposition to the friendly admonitions of the British Government. I have not failed to exhort the Vizier to pay the troops with regularity, as the only mode by which the Government and the army can be on good terms, and without which no efficient service, or correct discipline, can be expected. Two regiments have been recently driven into mutiny for want of pay—such a course being their only means of obtaining their just dues,—whilst estates of large value have been given to the brother of the Maharanee, as well as to the relations of the Vizier. It is surprising that, after the experience of the last five years, of a mutinous army controlling its own Government at Lahore, the Durbar cannot understand, or will not practise, so simple a system to ensure obedience.

It is not necessary that I should recapitulate the acts of impolicy and injustice which have marked the conduct of the Durbar during the last five months. Having a right to interfere, by the terms of the Treaty, in matters relating to the payment of the disbanded soldiery, I have frequently urged the Durbar to do their duty; and this advice, given with moderation, has led the Sikh Government to make the confession of its own weakness, and to implore the Governor-General to prolong the period of occupation.

It is impossible to place any confidence in the professions of the Maharanee or the Vizier, that the advice of a British Agent would be followed, if the garrison were to be permitted to remain: the British Government would, in such case, be a party to the oppression of all classes of the people. Again, if the troops are withdrawn, we are warned that the country will be plunged into a state of anarchy, and the destruction of all Government will ensue. Neither of these results would be consistent with the humanity, or the sincerity, of our policy, and they would be equally opposed to our best interests.

The other course—which it may be open to the British Government to take, and which has constantly occupied my attention since the 3rd of September—would be, to carry on the Government at Lahore in the name of the Maharajah during his minority (a period of about eight years), or for a more limited time, placing a British Minister at the head of the Government, assisted by a Native Council, composed of the ablest and most influential Chiefs.

This course, however, could not be adopted, even if the offer to surrender the Regency were to be made by the Maharanee, unless Her Highness' solicitations were cordially and publicly assented to by the great majority of the Chiefs.

If, therefore, the Chiefs should not join the Regent and the Durbar in calling upon the British Government to act as the guardian of the young Prince during his minority, and to conduct the administration, no attempt would be made to carry such a measure into execution. I should, in that case, scrupulously adhere to the terms of the Agreement. Those terms could not be suspended, even temporarily, without some such public act as that of assembling all the Chiefs who have an interest in the State, through the lands they hold from the Maharajah; and in any such proceeding, the proposal must originate with the Lahore, and not with the British authorities.

The marked difference between the system of having a British Minister residing at Lahore, and conducting the Government through native agency, and that which now prevails of a native Government administering the affairs of the State, without any interference, foreign or domestic, excepting from the Regent, would amount to this, that, in the one case, our troops are made the instrument for supporting misrule, and giving countenance and strength to oppression; in the other, by British interposition, justice and moderation are secured by an administration conducted by native executive agency, in accordance with the customs and feelings, and even prejudices, of the people. An efficient administration, working satisfactorily, being fairly established, the British interposition might be withdrawn; or, if necessary, it might continue till the coming of age of the Maharajah, when, as may be hoped, his country would be made over to him in a much improved and prosperous condition.

The principal means of ensuring a successful Government would consist in

the strict administration of justice between the Government and the people, in the regular payment of the troops, and the guarantee to the Chiefs, of the unmolested enjoyment of their estates, which should only be liable to forfeiture on a strong case of misconduct clearly proved.

The native officers of the army would remain, as at present, Generals and Colonels at the head of their troops; and innovations, unless required for important purposes of government, would not be introduced.

Such a system of British rule might not answer as a permanent one, but it might be adopted, if the Durbar and Chiefs are convinced that the Government, without such an alternative, would fall to pieces on the retirement of the British garrison.

If, therefore, the proposal of the Regent and Durbar should lead to an offer to carry on the Lahore Government by a British Minister, during the minority of the Maharajah, and the proposal should be confirmed by the influential Chiefs, publicly convoked for the deliberation of such a measure, I should be disposed to give to the experiment a favourable consideration.

If the establishment of a direct and active influence at Lahore could be effected by such an arrangement as that which I have described in this letter, I should, before I compromise the Government, depute the Secretary of the Government, Mr. F. Currie, to Lahore, there to confer with the Officiating Agent, receiving from him full reports of the real state of affairs in that capital.

Mr. Currie has great experience, a sound judgment, and excellent abilities. He conducted the negotiations at Lahore with the Durbar last spring, when the Treaty was framed by him, and, during the whole of that period, I derived the most valuable assistance from his counsels.

Assuming that the present apprehensions of the Vizier to carry on the Government should end in a proposal, such as I have described, I should send Mr. Currie to Lahore on a special mission, direct from the Governor-General; and if Lieutenant-Colonel Lawrence's health will permit of his accompanying him, I shall avail myself of his abilities, by associating him with Mr. Currie, as was the case in a great part of the year at Lahore.

If no such proposal leading to modifications of the Treaty should be made, it is my intention to withdraw the British force from Lahore the latter end of December, in accordance with the Agreement. I shall, in this case, have afforded the Lahore Durbar every facility in my power, to avert the misfortune which the Vizier and his colleagues anticipate on the retirement of the troops, and you may be assured that, in the transactions now pending, the conduct of the British Government shall be strictly regulated by principles of justice and good faith.

With regard to the apprehended failure of the Vizier to establish a Sikh Government, I am satisfied it will not have been caused by any difficulties which might not have been obviated by a firmer Minister. At the same time, it must be admitted, that he has been placed in a position of great difficulty, which might have baffled the skill of an abler and better man. It is due, however, to the Rajah, and must be admitted, that he has on all occasions cheerfully assented to every proposal for the comfort and accommodation of the British troops.

If the hope, which I have expressed since last March, that a permanent Sikh Government might be formed, should be disappointed, the result will not prove that the measure could have been dispensed with at the time it was adopted.

The force was left expressly for the purpose of protecting the inhabitants of a large city from spoliation by a disbanded army. The occupation has fulfilled that object, and has given to the Sikh Government the time to reorganize their army; it has given to the Lahore Government the opportunity of performing its duty to the State; and if, from causes beyond the control of the Governor-General, the attempt to establish a Sikh Government should fail, that result can in no respect reflect unfavourably on the policy of the attempt. It has not impaired the British character; on the contrary, it has caused it to be respected, not only by force of arms, but by the removal of national prejudices. At the time I consented to the occupation, the question then raised by the opponents of the measure, was, not whether a Sikh Government would succeed or fail, but whether the British garrison could maintain its position in Lahore?

The risk of occupying the capital, in my judgment, was not commensurate

with the moral obligations imposed upon me, and the political advantages which have followed that act; and, at this moment, it will not be forgotten by reflecting men, that a great military object has been obtained, of giving to this admirable Indian army a salutary lesson, that, under the firm management of an able commander, there are no difficulties in occupying a large town, the capital of a foreign nation, which cannot by good discipline be overcome.

I, therefore, never can regret a measure which, up to this hour, has secured the capital of a neighbouring State from ruin, and has maintained unimpaired the reputation of the British power throughout our Eastern Empire.

No. 3.

The Governor-General to the Secret Committee.

(Extract.)

Simla, September 19, 1846. (No. 40.)

IN the letters from Lahore of Mr. J. Lawrence, the delay and suspicious conduct of Sheik Imamooddeen, the Governor of Cashmere on the part of the Lahore Government, are adverted to, and the measures taken by the Durbar to procure the departure of the Sheik from Cashmere, are described.

I forward dispatches of the Governor-General's Agent, reporting the ultimate failure of Sheik Imamooddeen, to quit Cashmere at the promised time, and the occurrence of a collision between the troops of the Sheik and those of Maharajah Golab Sing, in which the latter were worsted, with the death of the Vizier Luckput Rae, and the dispersion of the Maharajah's force.

The details of this affair, as far as they are known, and the previous conduct of Sheik Imamooddeen, are so fully given in the inclosures of this dispatch, and the other papers referred to, that it is not necessary for me to describe them in this place. It is of more importance to consider the motives which may have induced Sheik Imamooddeen to put himself thus actively in opposition to the British Government and Maharajah Golab Sing, and to the reiterated orders of the Lahore Durbar; the consequences which may probably result from this affair; and the measures which it may be most expedient to adopt in reference to it.

From the first, Maharajah Golab Sing has expressed no apprehension about his obtaining the occupation of Cashmere. At Umritsir, after the completion of the Treaty, he urged that the Durbar should take measures for putting him into possession of the other districts made over to him, and the Hazareh; but he said that Sheik Moheooddeen and he were on an understanding with each other, and that his possession of Cashmere would be accomplished without difficulty. Early in April, Moheooddeen died, and his son, Sheik Imamooddeen, the former Governor of the Julunder, succeeded him. Maharajah Golab Sing stated that this would make no difference in his affairs, for that Sheik Imamooddeen was, equally with his father, in his (Golab Sing's) interest.

Accordingly, Maharajah Golab Sing sent a few regiments with Vizier Luckput Rae, to take possession of the district. These regiments arrived at the same time as Lord Elphinstone and Mr. C. Hardinge, and were forthwith put in possession of the Hurree Purbut, the principal fort at the capital; this was on the 21st of April last.

Maharajah Golab Sing would appear to have, at this time, entered into negotiation with Sheik Imamooddeen, to put his troops into the neighbouring districts, and to hold the Government of Cashmere under him.

Sheik Imamooddeen states that, at the requisition of Maharajah Golab Sing, he did put his troops into those districts, and that he has a claim against the Maharajah for their expenses.

What may have been the real nature of the negotiations between the Sheik and the Maharajah, it is impossible for us to know at present; but it appears that they ended in no satisfactory result. The Maharajah soon required the departure of Sheik Imamooddeen from Cashmere, and sent small reinforcements under Vizier Rutnoo to the support of Luckput Rae.

At the same time, Maharajah Golab Sing seems to have made some demands upon Sheik Imamooddeen, which the latter resisted; and the Sheik, under pretext of collecting balances of revenue, and requiring a receipt and acquittance from Vizier Luckput Rae, delayed from week to week his departure from Cashmere.

The Lahore Durbar, who had been continually pressed upon the subject of making over the transferred districts, Cashmere included, to the Maharajah, were directed to cause the immediate removal of Sheik Imamooddeen.

When the Sheik still delayed his return to Lahore, the Durbar sent a special and pressing order by the hands of Dewan Hakim Rae and Vakeel Sohun Lal, peremptorily directing him to make over the district to the Maharajah, and to repair to Lahore, where his accounts would be adjusted.

These persons appear to have made unnecessary delay on the road, and to have only reached Rajourie when the outbreak occurred, which is described, as far as its details are known, in the inclosures of this dispatch.

On the news of the open rebellion of Sheik Imamooddeen reaching Lahore, the Durbar sent off Sirdar Utter Sing Man, with other officers, to bring the Sheik away.

The result of the Sirdar's mission cannot yet be known, but it is not probable, in the present posture of affairs, that it has been successful. Deeply interested as the Lahore Durbar are in the fulfilment of all the provisions of the Treaty, it can scarcely be supposed that they have instigated or countenanced the Sheik's proceedings; and yet there is a strong impression on the minds of all the British officers on the spot, that Sheik Imamooddeen has all along had the sympathies, if not the covert connivance, of Rajah Lal Sing, and other influential parties at Lahore.

The above is a summary of the proceedings and orders for the transfer of Cashmere, from the Lahore Government to the Jammoo Maharajah.

The political connexion between Maharajah Golab Sing and the Sheiks Moheooddeen and Imamooddeen, is of old standing, and has been long notorious as of the closest description.

Moheooddeen, the father, began life as a shoemaker, he was a man of no family, character, or influence; but, being possessed of those talents for intrigue and self-aggrandisement, which were more likely to stand him in stead, in such a Government and society as that of the Sikhs in the Punjab, he contrived, with the assistance of the Dogras, and more particularly of Golab Sing, to raise himself from poverty and obscurity to a state of some eminence and of vast wealth.

About seven years ago, under the auspices, and by the instrumentality, of the Maharajah, Sheik Moheooddeen was appointed to the Government of the Cashmere district, and his son, Imamooddeen, to that of the Julunder Doab.

Sheik Moheooddeen was to have accounted to the Durbar for twenty lacs of Cashmere rupees per annum, of which six lacs were to be allowed him for the maintenance of troops, and the balance, fourteen lacs, was to be paid into the Lahore treasury.

The Sheik's payments at Lahore are stated not to have exceeded six lacs per annum since he assumed the Government, and part of which has been remitted in shawl goods. No accounts have been rendered during the whole seven years.

The same statement of short payments, and failure to render any account of seven years' collections is equally applicable to Sheik Imamooddeen, in respect to the Julunder Doab.

The Sheiks are known to have sent across the Sutledj upwards of a crore of rupees, in specie, shortly before the late invasion of our territories by the Sikh army.

What may have been the inducement to Sheik Imamooddeen to take the course he is now pursuing, it is not easy to conjecture. He had immense wealth in money and a jagheer at Julunder, which we had upheld, yielding nearly a lac per annum. He cannot expect to maintain himself in Cashmere, against Maharajah Golab Sing and the Sikh and British Governments.

The Sheik was doubtless placed in a position of much difficulty in regard to securing the whole of his ill-gotten wealth. He is believed still to have much in Cashmere; the locality of which, and all the circumstances under which it was obtained, are doubtless well known to the Maharajah, who was

bent on appropriating it, if possible. After the transfer of the province, its removal became difficult.

Again, the Sikh Government summoned him to Lahore, and spoke of an adjustment of accounts. The Sheik well knew that he had rendered no account for seven years; that his spoliation was notorious; and that the Durbar were aware of his full ability to pay a large sum as balance of arrears, which their exigencies would induce them the more rigorously to demand.

This was doubtless a dilemma; but the mode which he has adopted to avoid it is a desperate one. His money in Cashmere will be soon exhausted by the large force he is said to be collecting. His jagheer in our provinces will be confiscated, and his property attached; and the result of his enterprise, though it may cause trouble, and is much to be regretted, cannot be doubtful.

The Lahore Durbar are bound by the IVth Article of the Treaty of Lahore, to put us, or our representative, in possession of the Province of Cashmere. This they have not done, and their officer is now in open rebellion in the district.

In the present state of our information, I cannot tell precisely what measures it may be necessary ultimately to take. You will perceive that I sent Colonel Lawrence's Assistant, Lieutenant Edwardes, to Jummoo, to make Maharajah Golab Sing exert himself, and to urge him to advance at once with his disposable force to Cashmere. I have called on the Lahore Government to place at the disposal of the Maharajah such of their regiments and generals, as he himself may select to accompany him; and Brigadier Wheeler has been warned to be ready to advance with a portion of the Julunder force to Bissowlee and Jummoo, to support Maharajah Golab Sing's rear, and, should he wish it, to hold his territory for him during his absence.

I shall be well satisfied if by these means the revolt of the Sheik may be put down, and the occupation by Maharajah Golab Sing accomplished. Any delay in the commencement of operations will be inexpedient. The Mahomedan Hill Rajahs in the neighbourhood of Cashmere, appear to have already joined the Sheik; the Hazarehs will doubtless follow the example; and there is much disposition to revolt in all the western districts.

The season of the year is somewhat in favor of the rebels making a protracted resistance, as, towards the end of November, most of the passes into Cashmere are closed, and the troops proceeding there will not be able to return till after the winter.

In a few days, our information will be more full, and I shall be the better able to concert measures adapted to the circumstances. I shall not move British troops to Cashmere if I can avoid it.

It is worthy of remark, that Sheik Imamooddeen has caused the Sikh emissaries, Dewan Hakim Rae and Vakeel Sohun Lal, to be treated with all consideration and respect at Rajourie, whence they last wrote; while he has proclaimed that Maharajah Duleep Sing is the Sovereign of Cashmere, and himself the Rajah's subadar; (which looks as if he were doubtful of those about him supporting his independence;) while, on the day at the close of which the attack on Maharajah Golab Sing's force took place, it is said to have been industriously circulated at the Bazaar of Cashmere, that the British troops had been attacked and defeated at Lahore, and the young Maharajah killed.

All the British officers who had gone to visit Cashmere had left the valley before the outbreak occurred, excepting Captains Broome and Nicolson, who were on the borders, and, on hearing of the affair, proceeded into the Maharajah's territory.

No. 4.

The Governor-General to the Secret Committee.

(Extract)

Simla, October 4, 1846. (No. 42.)

IN my dispatch of the 19th September, 1846, No 40, I reported the defeat and dispersion of the forces of Maharajah Golab Sing, by those of the Sheik Imamooddeen, in the valley of Cashmere; and I stated the steps I had taken, in urging the Maharajah, to make more active exertions, and in calling upon the Lahore Durbar to place at the disposal of the Maharajah such of the Sikh regiments and generals as His Highness might himself select. I also ordered

6 Regiments of Native Infantry,
2 Ditto of Irregular Cavalry, and
12 Field Guns,

under Brigadier Wheeler, to be held in readiness to march from the Julunder towards Jummoo, for the purpose of protecting the Maharajah's rear, in his absence.

On the evening of the 21st September, the Maharajah's Vakeel, Joala Sohaie, reached Simla, and, after conferring with the Political Agent, declared that the movements proposed to be made by Brigadier Wheeler's force, would best fulfil the Maharajah's wishes; and I accordingly, on the 22nd, addressed the Commander-in-chief, requesting that the Brigadier might be ordered to advance; and I expect to hear that the troops will, about the 8th or 9th, have reached their destination; three regiments of infantry, one of irregular cavalry, and six guns, being posted in the neighbourhood of Jummoo

On the 24th, I desired the Political Agent to obtain from the Maharajah's Vakeel a full and distinct exposition of his master's intentions and means, and the answers given by the Vakeel to the questions put to him by the Political Agent, will show you that the measures already taken, of preparing the force under Brigadier Wheeler, and the demand made upon the Lahore Durbar for all the available Sikh troops, had anticipated the Maharajah's wishes, and that he not only did not expect or desire that a British force should be actually employed against Cashmere, but, on the contrary, preferred that his own troops, aided by the Sikh forces, should be employed for the purpose. I desired that His Highness might be cautioned not to conceal his real views, or delay making known to me his wishes, until the season might be too far advanced to afford him the assistance he desired.

On the following day, the 25th of September, a letter, dated the 17th, was received from Lieutenant Edwardes, the Assistant Political Agent, who had been ordered to proceed to Jummoo, in which letter he reported the substance of conversations he had held with the Sheik Imamooddeen's Vakeel, on his way to Cashmere. The Sheik's Vakeel, Poorun Chuud, repeatedly asserted, that his master, the Sheik, had been secretly instigated in his resistance to the Maharajah Golab Sing in Cashmere, by communications sent to him by the Vizier Lal Sing, and that the Sheik possessed letters to this effect, written by the Vakeel, and signed by Rajah Lal Sing at Lahore.

By the same post from Lahore, information was received that the Maharanee had held a confidential conversation with Bhaee Ram Sing, explaining to him her position and that of the Vizier, and attaching the greatest importance to the recovery of letters addressed to the Sheik by the Vizier, on the subject of Cashmere.

These reports, received from different quarters, combined with the delays and evasions of the Vizier during the preceding five months; his failure to depute the persons to Cashmere, pointed out by the Political Agent as the most proper to be sent to the Sheik; and the slow progress towards Cashmere made by the two Sikh emissaries, Dewan Hakim Rae and Vakeel Sohun Lal, sent, at last, by the Durbar, after the reiterated representations of the Agent, were circumstances calculated to excite a just suspicion that the Vizier Lal Sing was implicated in the Sheik's misconduct, by secretly encouraging the Lahore Governor of Cashmere to resist the orders publicly sent to him by his Government, to withdraw from

the province, delivering up the country to the Maharajah, in pursuance of the Treaty.

I, therefore, in my instructions to Lieutenant-Colonel Lawrence, desired him to omit no efforts to ascertain the truth of the declarations made by the Sheik's Vakeel to Lieutenant Edwardes, being determined, if these statements could be substantiated, at once to adopt measures against the Vizier, which should not only terminate our official communications with him, but should deprive him of power, in consequence of his treasonable intrigues, by which the fulfilment of so important an Article of the Treaty was intentionally evaded.

So long as the Sheik is able to defend the passes and maintain his ground in Cashmere, he will, in all probability, not produce the proofs which his Vakeel declares he possesses, showing that he has been acting under the orders of his own Government.

It appears to me also improbable that Rajah Lal Sing should have committed himself to the extent of signing letters written by the Sheik's Vakeel; but it is not unlikely that he may, under the impulse of his hatred of Maharajah Golab Sing, have held conversations with the Vakeel, encouraging the Sheik to resist, in order to give the Maharajah as much trouble as possible: and intimating, that the Sheik, for thus acting, would be rewarded by the Vizier, by causing the claims of the Lahore Government for his arrears of revenue to be favourably settled.

I considered it expedient, under these circumstances, to be prepared for any event, either to support Brigadier Wheeler, or check any disposition of the Mussulman population of the Hazareh country to rise, in consequence of the recent events in Cashmere; and I, therefore, issued instructions to hold

Her Majesty's 80th Regiment,
3 Regiments of Native Infantry,
12 Guns,

in readiness to move forward from Lahore on Sealkote, so as to unite, if necessary, with the Julunder force, this force to be replaced at Lahore by

Her Majesty's 62nd Regiment,
3 Regiments of Native Infantry,
2 Regiments of Cavalry, and
12 Guns,

from Ferozepore. These forces at Lahore and Ferozepore are fully prepared to move at the shortest notice.

There are two letters attached to the correspondence, written by the son of the Rajah of Rajourie, which have some interest. The first describes the action between the Sheik's forces and the Maharajah's, by which it would appear that the collision was brought about by some stray shots from the Maharajah's forces. The second letter, intercepted by the Vizier Lal Sing, gives the son's narrative to his father, of the rising of all the Mussulman tribes of the hills; the steps taken by the Sheik to induce the Khyberees and the Eusofzyes to move on to the right bank of the Indus, whilst to the eastward, on the side of Ladak, he had employed emissaries to induce the population to rise against the Maharajah. No mention is made of the Affghans moving upon Peshawur, although there are several of this tribe in Cashmere.

This letter may have been written for the purpose of being intercepted; but there can be no doubt that the Sheik will very naturally take every means to support himself, by an appeal to Mussulman hopes, and religious fanaticism.

The Maharajah has declared his wishes that the British troops should afford him the aid he requires, by protecting his rear, and not by active co-operation in the hills, and, as in the present aspect of affairs, with reference to the conduct of His Highness and the Lahore Government, I am by no means satisfied that there is an obligation on our part to put down the rebellion by British bayonets, I propose to confine our co-operation to the mode already agreed upon between the Political Agent and his Vakeel.

I say, the present aspect of affairs, with reference to the conduct of both parties, for you will observe that it is stated, in respect to Maharajah Golab

Sing, that his Vizier and troops having been put in possession of the chief fort, the Hurree Purbut, he opened negotiations with Sheik Imamooddeen, as to continuing in the civil government of the province, and requested the Sheik to remain till he sent full reinforcements to assume military occupation; and, in respect to the Durbar, that the most serious accusations (supported by strong presumptive evidence) are made of the recusance of the Sheik to leave Cashmere, and his subsequent misconduct, being attributable to the secret instructions he received from the Vizier

His Highness is well aware that he has by his own injudicious arrangements with the Sheik Imamooddeen, brought upon himself much of the embarrassment under which he is now labouring, but which he attributes, and probably with reason, to the intrigues of the Vizier Lal Sing.

If a further demonstration towards Bhimber should be advisable, I shall not hesitate to move up that portion of the Lahore force ordered to be in readiness, uniting it with the force from the Julunder, if both cross the Chenab, keeping one or two regiments in the neighbourhood of Jummoo, should it be absolutely required.

If the operations by Maharajah Golab Sing and the Sikh troops against Cashmere should be long protracted, or fail, and the portion of our troops on the Chenab should be required to remain in advance of Lahore, beyond the end of December, I shall, of course, continue to hold Lahore by a strong British garrison.

I am in hourly expectation of receiving more explicit information of the state of affairs in the neighbourhood of Rajourie; and my impression is, in the absence of the information I require, that I shall move up the Lahore portion of the force now held in readiness to march, and replace it by the troops from Ferozepore.

No. 5.

The Governor-General to the Secret Committee

(Extract.)

Simla, October 23, 1846. (No 47)

I HOPED, at one time, to be able, by this mail, to report, for your information, the termination of the Cashmere rebellion, and the settlement of the affairs of that province.

The measures which are in operation for the coercion of Sheik Imamooddeen, and particularly the prompt and decided determination we have evinced, of supporting Maharajah Golab Sing, have had the effect I expected, of proving to the Sheik the hopelessness of his resistance, and of detaching from him some of his most valuable adherents.

Sheik Imamooddeen has put a stop to all hostile operations against the Fort of Hurree Purbut, occupied by the Maharajah's troops, he has formally declared his submission to the Lahore Government, and his intention of surrendering himself to Lieutenant Edwardes, who is accompanying the troops of Maharajah Golab Sing.

The impression is general and strong, that the Sheik was really preparing to leave Cashmere, and that he would offer no further opposition to the occupation of the province by Maharajah Golab Sing.

No relaxation has been made in the vigour of the operations for coercing him; nor will the operations be discontinued, until the Sheik is actually in the Sikh or Jummoo camp, and his troops dispersed, and Cashmere occupied.

It is impossible to rely with confidence on the sincerity of the assurances of a person of the Sheik's character, and under the influence which he is described, in these papers, as being exposed to, but my belief is, that, as he was certainly making no preparations to oppose the Lahore and Jummoo troops in the passes, he has, by this time, surrendered, and that by the next mail I shall have the gratification of reporting to you the termination of this affair.

No. 7.

The Governor-General to the Secret Committee.

Camp, Nairce,
November 21, 1846. (No. 55)

(Extract.)

ON closing my last letter to you, relative to the affairs of Cashmere, I stated my confident hope of being able, when I next addressed you, to announce the complete occupation, by Maharajah Golab Sing, of the Province of Cashmere.

That hope has been realized. The Maharajah entered the capital on the morning of the 9th of this month, and was, when the last accounts came away, engaged in arrangements for the administration of the country. ~~—————~~

The arrival of Maharajah Golab Sing in Cashmere is described by Colonel Lawrence as by no means displeasing to the inhabitants of the province, who were loud in their complaints of the tyranny and oppression of Sheik Imamooddeen.

Sheik Imamooddeen left Cashmere, according to his promise, on the 23rd of October, and reached the camp of the Governor-General's Agent at Thanah on the 1st instant.

Lieutenant-Colonel Lawrence's letters of the 1st and 2nd of the month describe what passed at his first interviews with the Sheik, who placed in Colonel Lawrence's hands three original documents, purporting to be instructions from the Minister Rajah Lal Sing to the Sheik, to oppose Maharajah Golab Sing; and to the officers and soldiers in Cashmere, to be faithful and obedient to the orders of the Sheik.

On the return of Lieutenant-Colonel Lawrence to Lahore, which will take place before the end of the month, a strict investigation will be made into the authenticity of these documents, and into the conduct of Rajah Lal Sing, in respect to the Cashmere rebellion—the result of which inquiry, and the proceedings I may think it necessary to adopt in reference to the circumstances and facts that may be elicited, I shall report fully hereafter.

My present intention is, that Mr. Currie should proceed to Lahore, to meet Colonel Lawrence on his return, when the investigation will be conducted by these officers in concert—and when, it is probable, a formal application will be made by the Chiefs, in the name of the Maharajah and themselves, for the continuance of a British force at Lahore.

I have, in my letter No. 39, dated 19th September, fully explained my views and the proceedings I may adopt in the event of this application being made. The inclosure No. 8 of this dispatch is a copy of the orders and instructions communicated by me to Lieutenant-Colonel Lawrence and the officers acting under him, on the announcement of the successful issue of the operations for coercing Sheik Imamooddeen, and placing Maharajah Golab Sing in possession of Cashmere. I am satisfied that the approbation bestowed in this paper on the parties concerned in these operations will be concurred in by you, to whom the result of the proceedings adopted by my instructions, whereby the object of the Government of India has been accomplished without bloodshed, will be, I am sure, gratifying.

The conduct of the Sikh troops, under the same officers that led them so lately in their invasion of our provinces, now employed in carrying out the conditions of the Treaty of Lahore, (and perhaps the least palatable part of those conditions,) under the instructions of British officers, cannot but command your admiration.

The Governor-General to the Secret Committee.

*Camp, Sham-Chourassie,
December 4, 1846. (No. 57.)*

(Extract.)

IN my last dispatch I announced the occupation of the Province of Cashmere by the troops of Maharajah Golab Sing.

The British force which I had moved up to the Chenab River, amounting to 11,000 men and 24 guns, have returned to Lahore and our own provinces, having, in concert with the Sikh troops and those of the Maharajah Golab Sing, accomplished all the objects which I had in contemplation when the movement was ordered. I was anxious that this force should move out of the Punjab before the investigation into the Sheik's conduct in Cashmere should commence, in order that there should be no appearance of resorting to military coercion on that occasion, or in any of the subsequent proceedings at Lahore.

Lieutenant-Colonel Lawrence has, with his usual activity, returned from Cashmere to Lahore.

It will be gratifying to you to learn, that the conduct of the Maharajah throughout the late operations, is described by the Political Agent as most satisfactory. His Highness has acquiesced in several proposals most judiciously made to him by Lieutenant-Colonel Lawrence, for the purpose of ameliorating the condition of the people, as well as for the more regular and liberal payment of His Highness' troops.

The Maharajah has agreed to continue to the Hill Chiefs all jagheers granted to them one year before the Sheik Moheooddeen's death, and further, to remit one-fifth of the tribute formerly paid by all to the successive Sikh Governors.

The Chiefs of Rajourie and Jesrotas have received assignments of land bordering on the British territory; and, with two exceptions which are satisfactorily accounted for, all the Chiefs of the Hill districts have made their submission to the Maharajah.

It may be considered an indication of the confidence of these Chiefs, and of the good understanding which exists between them and the Maharajah, that although His Highness offered to give up lands upon the guarantee of the British Government that the stipends agreed upon should be paid to any of the Chiefs who preferred to reside in the British territories, all expressed their willingness to remain under his government.

I am also in hopes that arrangements will be made with the Maharajah, by which the cultivators of the soil in Cashmere may be relieved from much of the oppression which they have hitherto experienced whilst under the Sikh rule, by the custom of re-selling at an arbitrary rate that portion of the crops taken by the Sovereign as his revenue.

The Maharajah distinctly pledges himself to relinquish the practice of trading on his own account in the produce of the country, which, if persisted in under an arbitrary Government, cannot fail to impoverish, and ultimately ruin all classes of his subjects.

The Maharajah has issued proclamations for the levy of customs at points fixed on the frontier, and for the abolition of inland duties. His Highness has also determined upon assembling the heads of villages, with the view of fixing, in concert with them, the rates at which the Government grain shall be sold.

The Maharajah has at the same time consented, that the crime of infanticide, prevalent among the Rajpoot population in his dominions, shall be strictly prohibited under severe penalties; and that he will use his best endeavours to abolish the rite of Suttee.

I shall take every opportunity of encouraging His Highness to persevere in these good intentions. The population of Cashmere, since the conquest of the country by the Sikhs, has been brought to so low a state of poverty, as to render extortion no longer profitable. The means of plundering the people have been exhausted, and I confidently expect, under the Maharajah's government, that their condition will improve, as His Highness is too sagacious not to discover his own permanent interest; and it is but just to state, that, according to the testimony of recent travellers, the peasantry under the immediate rule of the Maha-

rajah around Jummo, are in a superior state of comfort to the ryots of the petty chiefs in the hills.

In my last dispatch I informed you of my intention to depute Mr. F. Currie, Secretary to Government in the Foreign Department, to Lahore, for the purpose of investigating, in conjunction with Lieutenant-Colonel Lawrence, the causes which led to the Cashmere insurrection, the Sheik, in his defence, having declared that he acted in obedience to the orders he had received from the Vizier Rajah Lal Sing and the Lahore Durbar.

I have, in a letter addressed to Mr. Currie, of the 23rd November, instructed that officer as to the course which I have deemed it expedient to pursue. The instructions are framed on the view taken by me of the state of affairs in the Punjab, in my dispatch to you of the 19th of September.

Lieutenant-Colonel Lawrence having arrived at Lahore on the 30th of November, and Mr. Currie on the following day, I am in hourly expectation of receiving intelligence from Lahore, and shall keep this dispatch open to the last moment.

P.S.—The inclosed letter from Mr. Currie will apprise you of the arrangements made at Lahore, for the inquiry into the Sheik's conduct.

The course which has been determined upon by Mr. Currie, on consultation with Lieutenant-Colonel Lawrence and Mr. J. Lawrence, has my full approbation, as being the best adapted to remove many of the objections which would have attended a mixed commission of Sikh Sirdars, associated with British officers, for the investigation; or, on the other hand, the selection of a tribunal entirely composed of Sikh functionaries.

I am convinced, from the prudence and sound judgment of Mr. Currie, and his experience in judicial proceedings, that the inquiry will be so conducted as to satisfy the Sikh community of its impartiality.

A large number of the Sirdars had assembled in the city, with their armed followers, and the most influential Chiefs had been invited to attend the proceedings.

You will not fail to observe the extraordinary progress made in removing national prejudices, and conciliating the good opinion of the Sikh nation during the last eight months, by the fact that five English gentlemen are now sitting in judgment on the conduct of the Durbar in the Sikh capital, conscious that the reliance of the Chiefs is attributable to their confidence in the good faith and justice of the British character

Camp, Kartarpore, December 5, 1846.

Inclosure 1 in No. 8.

The Governor-General to Frederick Currie, Esq, Secretary to the Government of India, with the Governor-General.

(Extract.)

Camp, Hoshiarpore, November 23, 1846.

IN my dispatch to the Secret Committee of the 19th of September, in which the probable necessity of exercising a direct and active influence in the Government of Lahore is discussed, I stated that it was my intention, before I undertook such a line of policy, to depute you to Lahore, for the purpose of receiving full reports of the real state of affairs, having the utmost confidence in your experience, sound judgment, and ability, and to associate Lieutenant-Colonel Lawrence with you in such a mission, since which period that officer has, by his energy and talents, justified all my anticipations, by overcoming the difficulties which had arisen out of the Cashmere insurrection.

You will, therefore, be so good as to make your arrangements to proceed to Lahore on a special mission as the representative of the Governor-General, where you will meet Lieutenant-Colonel Lawrence, the end of this month.

The first question which will require your immediate attention, will be an investigation into the conduct of the Sheik Imamooddeen, in resisting, by force of arms, the execution of the Lahore Treaty, relating to the cession of the Province of Cashmere. The line of defence which he has adopted, by asserting that he has acted in obedience to the orders of the Lahore Government, of which

he was the servant, will indirectly, but substantially, place the Vizier Rajah Lal Sing on his trial.

The whole of the papers and documents having passed through your department, you are fully apprized of all the details, into which I need not enter. The result, however, of the investigation, will probably produce important consequences as affecting the Government of which the Ranee is the head as Regent, and the Rajah Lal Sing the Vizier.

If it be proved that the Vizier secretly encouraged the Sheik to violate the Treaty which the Lahore Durbar was bound faithfully to carry into effect, the immediate consequence of this betrayal of duty to the Maharajah Duleep Sing, and of good faith to the British Government, will be the deposition of the Vizier.

If the authenticity of the documents produced by the Sheik, in palliation of his own criminal conduct, be disproved, that individual must take the consequences of his own misdeeds; but it is apparent, from the nature of the papers which he has produced, that the investigation will in reality be the trial of the Vizier Rajah Lal Sing and the Durbar.

The conviction of the Lahore Government in being implicated in a gross and violent infraction of the Lahore Treaty, might, if pushed to the extreme limit of our right, lead to very serious consequences; but it is not my intention to make the Lahore State responsible for the misconduct of one or more individuals, when there is every reason to believe that the misconduct is to be attributed to personal hatred of the Maharajah Golab Sing, and not to any political combination to violate the Treaty with the British Government. The individuals, however, who may be implicated must be held responsible for their conduct in this transaction, whatever may have been the original object of the intrigue. I am, however, disposed to give to the chiefs and to the Sikh soldiery, the greatest credit for their meritorious conduct, in promptly and loyally obeying the orders they received to march to Cashmere, under difficult and adverse circumstances, cheerfully acting under the advice of British officers.

This praiseworthy conduct will be prominently brought forward in the letter to the Maharajah, apprizing His Highness of my intention to depute you to Lahore; and I need scarcely observe, that the good temper and cordial co-operation of the Sikh troops under Sirdar Tej Sing, in the accomplishment of an object in which they might naturally be expected to act with reluctance, is an atonement, as far as the State is concerned, for the breach of the Treaty by a servant of the Durbar, if I am to assume that the Vizier is implicated in the Sheik's misconduct.

It is, however, clear, that the investigation will compel the Vizier and the Durbar, publicly to vindicate their conduct.

It, therefore, becomes an object of importance, that the forms and mode of the investigation should be carefully considered. With the experience you possess while presiding in our courts of law in the Regulation Provinces, I have no doubt you will deem it to be an essential object, so to arrange the inquiry into the Sheik's conduct, in concert with the Lahore authorities, that there shall be no ground for suspicion in any quarter as to the fairness of the proceeding. The trial is that of a public officer of the Maharajah's, who, on certain conditions, surrendered himself to the Political Agent of the British Government. It is very difficult to devise a mode of trial which is not open to some objection. The justice of the case, however, will require that you, Lieutenant-Colonel Lawrence, and Mr. J. Lawrence, should, in the presence of the Durbar and Chiefs assembled for the purpose, state that a flagrant breach of treaty has been committed by the Sheik Imamooddeen, the servant of the Lahore Government, of which the British Government has just reason to complain, and that, as he pleads, in justification of his conduct, the orders he received from his own Government, it will be necessary to proceed in so grave and important an inquiry with all due forms of deliberation. And I need scarcely recommend that the minutes of all the proceedings be recorded with the utmost precision.

In the event of the Sheik succeeding in exonerating himself, by proving that he acted in obedience to the orders of the Vizier, the Rajah's deposition from power, and his immediate exile from the Punjab into the British territories, will be demanded, under such arrangements as may be determined upon, after the whole case has been fully investigated.

In the latter case, it is probable that the interposition of the Ranee in his favour will be attempted, and that Her Highness will not consent to his exile without great reluctance.

Facilities may be afforded, arising out of this state of things, to deprive Her Highness of power. The great scandal which Her Highness' intercourse with the Vizier has caused, has rendered her government as Regent odious to the people, and her deprivation of power would be justified, on the ground that the notoriety of her profligacy has been carried to an extent which disqualifies her for the duty of acting as the Regent of the Lahore State during the minority of her son.

If the British Government should be called upon by the Chiefs to act in behalf of the minor, for the preservation of the Raj, and the maintenance of tranquillity, there can be no doubt that Her Highness must cease to have any authority as Regent, her conduct being so abandoned as to be a serious impediment to the success of any Government.

You will, during the investigation, or as soon as it has closed, forward a letter to the Maharajah, expressing my anxious desire to adhere to the terms of the Treaty, by withdrawing the British force from Lahore within our own territories, according to the arrangement agreed upon in March last, when, at the solicitation of the Regent and the Durbar, a British force was left in the city expressly for the purpose of enabling the Lahore Government to reorganize its army. The desire of the British Government not to interfere in the internal administration of the Sikh State will be repeated, but you will state that the British Government is ready to give the aid of its advice and good offices, for the furtherance of His Highness' interests.

The notice of my intention to take this course has been repeatedly given, in the most decisive terms, as far back as the beginning of September, when declarations were formally made by Mr. J. Lawrence, that the Governor-General would not assent to the British troops remaining in Lahore beyond the period agreed upon, but that I should be ready to pay due attention to any proposal for a modification of the existing arrangement. The Durbar was invited to state its views, and although the sentiments of the most influential members of the Government expressed to the effect that the Government could not stand when the British troops retired, no specific proposal was then made, nor has any been subsequently intimated for my consideration.

The operations against the Sheik have, to a certain degree, interrupted further deliberations on the subject. Ample time has, however, been given to the influential Chiefs, to decide upon the course which they may be of opinion will be most advantageous to the State, and, as they are aware of my determination, you will bring this question to an early decision.

The alternative to which I might be induced to assent, at the solicitation of the Lahore Government, is conveyed in my dispatch to the Secret Committee of the 19th of September.

Whilst you will inform the Durbar that my objections are unalterable to leave a British force at Lahore to support a Native Administration, you will repeat my readiness to listen to any proposals which the Durbar may choose to make. No encouragement will be given to the Chiefs to make proposals which they may imagine the British Government desires to receive.

You will impress upon all, that my sincere desire is to act up to the strict letter of the Treaty and the arrangement agreed upon last March, by withdrawing the troops from Lahore in December. Any proposals which may be made, should be free and voluntary on the part of the Chiefs. It is neither consistent with the dignity nor the policy of the British Government to interfere in any party struggles for power between contending factions in a foreign State. If the British Government can be induced to interfere, by extending the period of protection, it will be for the purpose of preventing anarchy and confusion in a neighbouring State, and, if it be possible, by its friendly aid, of promoting the establishment of a Hindoo Government in the Punjab.

If the Chiefs should deliberately determine to carry on a Native Government, in such case there will be no necessity for any modification of the Treaty, or for taking any steps to assemble the Chiefs. The simple adherence to the Treaty will require no convocation of the Chiefs, but in that case it will remain for consideration, whether a public declaration of the sentiments of the British Government may not be an expedient course.

If, on the other hand, you and Lieutenant-Colonel Lawrence should be of opinion, that the majority of the influential Chiefs having an interest in the decision of the question, by the jagheers and estates they hold under the Maharajah, are strongly in favour of the continued occupation of Lahore, and are ready to assent to the sacrifices which such a measure may require, then you will consult with the persons the best informed as to Sikh customs, in what mode the assembly of Chiefs may be convened.

In the state of the Punjab such a proceeding is open to the objection, that the establishment of the precedent may be inconvenient for the future, by exalting the authority of the Chiefs, and depressing the just authority of the Government.

The object to be obtained is to take the best means of ascertaining the sentiments of those who, during the minority of their Prince, have the most legitimate right of deciding such a question; and in attempting to obtain a deliberative Sikh opinion, you will adopt the course which, upon the whole, you consider to be the least objectionable.

If the decision should be made to solicit the British Government to take the Maharajah under its protection during his minority, or for such shorter term as the British Government may at their option choose to fix, the extent of the authority to be exercised by a British Resident must be as unlimited as is the power of a Native Government; and I need not at present attempt to specify the terms.

The Ranee's authority as Regent must be merged in that of the British Minister.

The sum to be paid for the expense of the British troops employed at Lahore must be previously determined. The total charge for 10,000 troops of all arms, will exceed 30 lacs. If 24 lacs were to be paid by monthly payments of 2 lacs, it will be sufficient, considering the exhausted state of the Lahore treasury.

Let the decision of the Sikh Chiefs be what it may, the Governor-General is bound by his duty to the Indian subjects of the British Crown, to maintain order on the frontier, by such means as may best secure that essential object; and without the intention of expressing any threat, you will declare my determination to hold the Lahore State responsible that the public tranquillity shall not be interrupted.

Inclosure 2 in No. 8.

The Governor-General to Maharajah Duleep Sing.

Camp, Hoshiarpore, November 23, 1846.

I HAVE to congratulate Your Highness on the termination of the rebellion in Cashmere.

The troops of the Durbar engaged in the operations for enforcing the fulfilment of the Treaty of Lahore, which were rendered necessary, by the misconduct of certain evil-disposed persons, have conducted themselves in a most praiseworthy manner, and have evinced, by their ready obedience to the orders they received, and by their cheerful endurance of fatigue and unexpected difficulty, the qualities of good soldiers.

The difficulties Your Highness' troops experienced were occasioned by the neglect of the Kardars to provide the requisite carriage and supplies on the line of march.

The conduct of Sirdar Tej Sing, the commander of the Durbar army, and the energy he evinced in pressing forward, while ill-provided with carriage, and short of supplies, was highly creditable to the Sirdar, and such as to deserve Your Highness' entire approbation.

Sirdar Shere Sing, the commander of the column from Rawul Pindee, is described to me as having also conducted himself with much zeal and energy.

It is known to Your Highness, that Sheik Imamooddeen surrendered himself to the Governor-General's Agent, on a promise that his conduct in opposing

the fulfilment of the Treaty between the Lahore and British Governments, in attacking the officers of Maharajah Golab Sing, and killing Vizier Luckput Rae and others, should be fully and impartially inquired into.

The occurrence of this rebellion, and the conduct of the parties concerned in it, are most serious questions. They must receive strict investigation.

I have, therefore, directed the Secretary to Government, Mr. F. Currie, to proceed on a special mission to Lahore, to superintend the institution of an inquiry into the conduct of Sheik Imamooddeen, and a full investigation into the circumstances he may adduce in justification of his acts in Cashmere.

The mode in which this investigation will be conducted, in concert with Your Highness' Durbar, will be communicated to Your Highness' Government by Mr. Currie and Colonel Lawrence, on their arrival at Lahore.

HARDINGE.

Inclosure 3 in No. 8.

The Secretary to the Government of India with the Governor-General, on a Special Mission to Lahore, to the Governor-General.

My Lord,

Lahore, December 2, 1846.

IN accordance with your instructions, contained in your letter dated 23rd ultimo, I arrived yesterday morning at Lahore. I was met at Bhyrowal by Sirdar Shumshere Sing Sindhanwala, Rae Kishen Chund Vakeel, and a few others of less note, who had been deputed by the Durbar to accompany my camp through the Lahore districts, and provide supplies.

I entered Lahore with the usual ceremonies, having been met some miles from the city by Rajah Lal Sing, Sirdar Tej Sing, and the other Chiefs of the Durbar, accompanied by all the principal Sirdars at the capital, who escorted me to my tents.

I have this morning had an interview with the Maharajah, in public Durbar, when I delivered to His Highness your Lordship's khureeta.

The ceremonies of the Durbar were conducted with great splendour. there were a far more than usual number of Sirdars present; all of any note having hastened to the capital, in consequence of the rumours that have been circulated as to the objects of my mission, most of the officers of the garrison also attended.

Your khureeta was not read; such is not the custom in a public Durbar. I requested Rajah Lal Sing, having heard the khureeta read in the presence of the other Chiefs of the Durbar, to visit me with those Chiefs, and such others as should be indicated by Lieutenant-Colonel Lawrence, at 4 o'clock this afternoon, when I would communicate to them the mode in which I propose to carry into effect the orders of your Lordship for the investigation described in your letter.

I have consulted with Lieutenant-Colonel Lawrence, C B., and with Mr. J. Lawrence, upon this subject, and we have determined that it is impossible to associate any of the members of the Durbar with us as judges of the conduct of Sheik Imamooddeen. His plea and grounds of defence are known to all, and they directly implicate the Durbar; the matter at issue being, whether he was, or was not, acting in accordance to their instructions in forcibly opposing the occupation of Cashmere by Maharajah Golab Sing, and in raising the rebellion in that province.

Neither could we associate with us other Chiefs not members of the Durbar. In the first place, this would be calling on the subjects of the Lahore State to sit in judgment on the acts of their Government, and in the next, it would be impossible to find any Chief who is not a friend or enemy of the Vizier, and interested either in his conviction or acquittal.

The only mode of fairly redeeming the promise under which Sheik Imamooddeen surrendered, and of doing impartial justice to all, appears to us to be, that the Sheik's conduct and defence should be investigated by a tribunal of British officers, in the presence of the parties interested in the result of the trial.

I have, therefore, requested General Littler to join us in this inquiry, and to nominate another intelligent officer of high rank, also to act as a member;

and we propose that the Court shall consist of myself as President, Major-General Littler and Lieutenant-Colonel Lawrence, Mr. John Lawrence, and Lieutenant-Colonel Goldie, (the officer General Littler seems to desire to name,) as members.

Rajah Lal Sing, with all the officers of the Durbar, and most of the leading and influential Sirdars of the State, will be requested to attend. The investigation will commence at 8 A.M. to-morrow, and I have every reason to hope will close by the afternoon, when the result in full detail will be communicated to you.

In the event of Sheik Imamooddeen establishing his plea, and proving that he did receive the instructions he states, from Rajah Lal Sing, it is our intention to place the Rajah immediately under surveillance in his own house, under charge of Sirdar Tej Sing, the Commander-in-chief, holding the latter responsible for his safe custody, pending your instructions, and intimating to the Durbar, that it is not your intention to visit the offence on the subordinate members of the Government personally, or to allow this treachery of the Minister to his own Sovereign, involving, though it does, an insult to the British Government, to affect the relations which have been entered into with the Maharajah.

It is our intention, in the case above supposed, to prohibit Rajah Lal Sing from returning to the Palace, which we propose to place under charge of Khaleefa Noorooddeen and Sirdar Shere Sing, the brother-in-law to the Maharajah, pending further arrangements and the receipt of your orders.

I have, &c.

F. CURRIE.

No. 9.

The Governor-General to the Secret Committee.

(Extract.) *Camp, Bhyrowal Ghat,*
December, 21, 1846. (No. 59.)

IN my last dispatch, of the 5th instant, I informed you of the arrangements which had been made at Lahore, for conducting the inquiry into the allegations of Sheik Imamooddeen, relative to his proceedings in Cashmere.

The collection of papers which accompanies this dispatch will bring before you all the circumstances that have since occurred, and will show, that the course contemplated by me, in my communication to you of the 19th of September, in the event of the Lahore Government desiring the continuance of the British troops, has been acted upon.

I have to request your attention to Mr. Currie's letter of the 5th of December, forwarding the minutes of evidence and the abstract of the proceedings taken in the investigation of the Cashmere insurrection.

You will observe that the inquiry was conducted in the most open and public manner. All the leading Chiefs of the most influential families, sixty-five in number, attended to witness the proceedings.

The whole of the first day was occupied in examining the witnesses and documents produced by the Sheik, the assembly adjourning till the following day, to afford time to the Durbar and Rajah Lal Sing to prepare such explanations in defence of their conduct as the evidence adduced by the Sheik might seem to require.

The British officers associated with Mr. Currie, having maturely weighed the evidence brought before them, came unanimously to the decision, that Rajah Lal Sing had secretly encouraged the Sheik to oppose the occupation of Cashmere, in violation of the conditions of the Treaty.

The grounds upon which this opinion was formed are clearly given by Mr. Currie, in an abstract of the proceedings, signed by him and his colleagues, in which the substance of the evidence, after the most careful deliberation, is very ably summed up by that officer.

You will observe that although judicial proof of the authenticity of the signature attached to the letters Nos. 2 and 3 of the minutes of proceedings, could not be adduced, to the satisfaction of the commission, the presumptive proof of

their genuineness was so strong, as to lead to the conviction that they were written by the orders, and did contain the instructions of the Rajah Lal Sing.

The letter addressed to the soldiers, of date the 28th of July, was proved by the Durbar moonshee to have been written by order of the Rajah; and the latter, in his defence, urged that he wrote it at the request of the Sheik's confidential agent at Lahore. The whole of this part of the case is so conclusively recorded in Mr. Currie's abstract of the evidence, that it is quite unnecessary for me to offer any remarks.

This paper was translated and explained by Mr Currie to the Chiefs, and after a full and careful examination of the evidence, the Sirdars unanimously acquiesced in the decision that the guilt of the Rajah had been proved, and in the propriety of his being forthwith deposed.

This decision of the Sirdars for the removal of Rajah Lal Sing from the Vizierut was immediately acted upon, and the Rajah was, by their orders, escorted by his own guards to his residence in the city.

Every precaution was taken to secure the personal safety of the Rajah, and the tranquillity of the city was in no respect disturbed.

On receiving the minutes and abstract of evidence, I immediately confirmed the proceedings, as you will perceive by my letter of the 7th of December, in which I required the deposition and exile of the Vizier, and declared my willingness to accept that measure as a sufficient atonement for the infraction of the Treaty, giving my reasons for not holding the Lahore State responsible for the misconduct of the Vizier.

In the reply to this letter, the guilt of the Vizier, and the justice of his deposition, are admitted by the members of the Durbar; and they notice in strong terms of gratitude the equity and mercy shown by the British Government in absolving the State from the consequences of the Vizier's crime.

The Rajah has subsequently been sent to Ferozepore, under an escort of British and Sikh troops, and is now on his road to Agra

In reviewing the form and mode of the investigation, I am not aware that any proceeding better calculated to secure the ends of substantial justice could have been resorted to, in a case in which the British Government had to complain of a violation of treaty by a servant of the Lahore State, the inquiry into which directly implicated the Lahore Government itself. The impartiality of the proceedings has impressed upon the minds of the Sikh Chiefs a very favourable opinion of the equity and fair-dealing of the British character.

Throughout the whole of these proceedings relating to the Cashmere insurrection, I have had great reason to approve of the sound judgment, the clear discernment, and honourable feeling, evinced by Mr. Currie and his colleagues.

In the subsequent transactions to which I am now about to draw your attention, and which refer to the terms on which alone I could consent to the continued occupation of Lahore by a British garrison, you will find that all the anticipations of my confidence in this valuable officer's ability have been realized.

In the same letter (of the 7th of December) in which I confirmed Mr. Currie's proceedings, I instructed him to address the Maharajah, expressing the deep interest I took in His Highness' welfare, and stating that, as the time had nearly arrived when the British troops would, in observance of the Agreement of the 11th March, withdraw from Lahore, I was anxious, after the Vizier's deposition, that the Government should be so reconstructed as to afford the best prospect of preserving the Raj; that I was anxious the British Government should remain on terms of peace and amity with the Government of Lahore; but that I was determined, after the experience of the last nine months, and the recent misconduct of the Vizier, not to leave a British force in the city, beyond the stipulated period, for the sake of supporting a Native Government which can give no assurance of its power to govern justly, as regards its people, and no guarantee for the performance of its obligations to its neighbours.

I stated, that it was the duty of His Highness' Government and the Chiefs, to decide upon the course which they might deem to be most expedient, but that in these arrangements I could exercise no interference, further than in giving to His Highness' Government the aid of my advice and good offices in promoting the interests of the State.

These sentiments were conveyed to His Highness in Mr. Currie's letter of the 9th of December, and the answer is contained in a recapitulation of each paragraph by the Durbar, concluding with the request that I would

leave two regiments of infantry, one regiment of cavalry, and a field-battery, at Lahore, with Lieutenant-Colonel Lawrence as the Resident, for some months longer.

Mr. Currie, in his reply to this letter of the Maharajah's, informed His Highness, that the application for the continuance of a British force at Lahore involved a departure from the conditions of the Articles of Agreement concluded on the 11th of March, and stated that it would, therefore, be advisable that the members of the Durbar and the principal Sirdars should assemble, in order that Mr. Currie might declare, in their presence, the only terms on which the Governor-General would consent to a modification of the arrangements, and to the continuance of a British force at Lahore, after the expiration of the stipulated period.

The paper containing these conditions was carefully translated into Persian and Hindoostanee, and delivered by Mr. Currie to the chiefs, when they met on the 15th December. For the purpose of avoiding all misunderstanding, the different articles were explained—the Sirdars retired for consultation, and, after some discussion relating to the amount of the contribution for the expense of the British garrison, the terms were agreed to.

In order to afford full time for further deliberation, it was resolved that the Sirdars and Chiefs should reassemble on the following day, when certain individuals should be selected by themselves to draw up Articles of Agreement, in conjunction with Mr. Currie and Lieutenant-Colonel Lawrence. The Chiefs accordingly reassembled at Mr. Currie's Durbar tent, at 3 o'clock of the 16th instant. Each article was discussed separately, the contribution was fixed at twenty-two lacs; and every Sirdar present signed and sealed the paper. All the Chiefs, in number fifty-two, on the conclusion of the meeting expressed their satisfaction that the Maharajah would be under the protection of the British Government during his minority, which will continue until the 4th of September, 1854.

At these meetings the Chiefs unanimously concurred that a State necessity existed for excluding the Maharanee from exercising any authority in the administration of affairs, and the Durbar and the Chiefs have come to the decision that Her Highness shall receive an annuity of one lac and a half.

You will observe, that a British officer appointed by the Governor-General in Council, with an efficient establishment of subordinates, will remain at Lahore, to direct and control every department of the State.

The feelings of the people, and the just rights of all classes, will be respected.

A Council of Regency, composed of leading Chiefs, will act under the control and guidance of the British Resident.

The Council will consist of eight Sirdars, and the members will not be changed without the consent of the British Resident, acting under the orders of the Governor-General.

The power of the Resident extends over every department, and to any extent.

A military force may be placed in such forts and posts, and of such strength, within the Lahore territories, as the Governor-General may determine.

These terms give the British Resident unlimited authority in all matters of internal administration, and external relations, during the Maharajah's minority.

The concession of these powers will enable the British Government to secure the peace and good order of the country—the authority will be exercised for the most beneficial purposes: these terms are more extensive than have been heretofore required, when Native States have received the protection of a British contingent force. My motive in requiring such large powers has arisen from the experience of its necessity during the last nine months; and my reluctance, on general principles, to revert to the subsidiary system of using British troops to support a Native Government, while we have no means of correcting the abuses of the civil administration of a country ostensibly under British protection. A British force, acting as the instrument of a corrupt Native Agency, is a system leading to mischievous consequences, and which ought, when it is possible, to be avoided.

The occupation of Lahore will afford the means of counteracting much of

the disorder and anarchy which have disturbed the Punjab for the last five years, chiefly owing to a numerous Sikh army, kept up in the vicinity of the capital, in numbers greatly disproportioned to the revenues of the country, and by whose republican system of discipline, the soldiery had usurped all the functions of the State.

The control which a British garrison can exercise in enforcing order amongst the disbanded soldiery, will, in conjunction with a British system of administration, protect all classes of the community. The immediate effect of depriving a numerous body of military adventurers of employment (there being still many to be disbanded to reduce the numbers to the limits of the Treaty of Lahore,) may be troublesome, and a source of some uneasiness. No policy can at once get rid of an evil which has been the growth of years. But the operation of a system of order introduced into the Punjab, will subdue the habits of this class, as has been the case in our own provinces since the Pindarree war, and, by gradually mitigating the turbulent spirit of the Sikh population, encourage the people to cultivate the arts of industry and peace.

A strict adherence to the letter of the Treaty, by the withdrawal of the British garrison at this moment from the Punjab, after the avowals made by the Durbar, that the Government could not stand, would probably have led to measures of aggrandizement, and the extension of our territory, after scenes of confusion and anarchy. This danger was felt by the most able of the Sirdars, and it reconciled them to the sacrifices which the terms inevitably required for the interest of the Lahore State. By the course which has been adopted, the modification of the terms of the Agreement of last March, has been made with the free consent of the Sirdars, publicly assembled, who were made fully aware of the extent of the power which, by the new articles, was to be transferred to the British Government.

The confidence which the Sikh Chiefs have reposed in British good faith, must tend, by the unanimity of their decision, which partakes, as far as it is possible in an eastern country, of a national sanction, to promote the success of this measure.

I have deemed it expedient, that the ratification of the new terms of Agreement entered into for protecting the Maharajah during his minority, should be made as public as possible. It has, therefore, been determined, in communication with the Sirdars, that His Highness shall come to my camp on this side of the Beas on the 26th instant, and I propose afterwards, when the Agreement will be formally ratified, to pay His Highness a friendly return visit at Lahore.

I have invited his Excellency the Commander-in-chief to meet His Highness here on the 26th.

It is my intention to appoint Lieutenant-Colonel Lawrence to be the British Resident at Lahore, with an Assistant Political Agent at Peshawur. I have during the past year had frequent occasion to mention this officer's name in terms of praise; he had conciliated the confidence of the Sirdars and Sikh soldiery, by his energy, frankness, and integrity; and I trust that the state of his health will enable him to continue to perform his useful and arduous duties.

On this occasion I feel it to be my public duty to record the high estimation in which I hold the services rendered to the East India Company by Mr. F. Currie, Secretary to the Government of India. I have repeatedly noticed, during the past year, the varied instances in which this most valuable officer has distinguished himself, by his sound judgment, foresight, firmness, and general ability. The papers herewith annexed, afford ample proof of his skilful qualifications to conduct important negotiations; and I again beg leave to recommend that this able officer may receive some public mark of the approbation of the Home Authorities.

The last account from Cashmere from Lieutenant Nicholson is very satisfactory.

In every part of India the most perfect tranquillity prevails.

No efforts on my part will be omitted to preserve this desirable state of things. My views and measures have been uniformly directed to maintain a system of peace, by consolidating the British power in India, and not by objects of aggrandizement, and I trust that the arrangements now about to be ratified will tend to this effect, and that the course which I have adopted will be found by you to be consistent with true policy, and conducive to the interests of British India.

Inclosure 1 in No. 9.

F. Currie, Esq., to the Governor-General.

My Lord.

Lahore, December 5, 1846.

IN continuation of my letter to your Lordship of the 2nd instant, I have the honour to report that, on the afternoon of that day, the members of the Durbar, with the more influential Chiefs, came to my Durbar tent, when I requested Khaleefa Noorooddeen to read aloud to them your Lordship's khureeta, and then explained to them the mode we proposed to adopt for conducting the investigation into the truth, or otherwise, of the statements made by the Sheik Imamooddeen.

The Chiefs unanimously assented to the propriety of the measure, and declared that no other mode of investigation would be so satisfactory to themselves.

They all expressed their desire to be present, and it was arranged that the investigation should commence at 8 o'clock the following morning.

Accordingly, soon after 8 o'clock on the morning of the 3rd, the Sheik having come from his camp at Shahderrah, and the Chiefs being assembled, the proceedings were commenced.

The court, if I may so call it, was composed of myself, as President, Lieutenant-Colonel Lawrence, C.B., Major-General Sir John Littler, K.C.B., John Lawrence, Esq., and Lieutenant-Colonel Goldie, 12th Native Infantry, as members; and the proceedings were taken down for record in English by Captains Broome and Edwardes and Ensign Hodgson, and in Persian by the Meer Moonshee of my office, an officer of the Agency, and one attached to the establishment of Mr. John Lawrence. The proceedings were also taken down in Persian by Dewan Deena Nath and Vakeel Rae Kishen Chund, on the part of the Durbar.

The court was crowded with Chiefs. a list of those present is given with the detailed record of proceedings. Your Lordship will see that there were sixty-five principal persons, exclusive of followers and vakeels.

I was never present in a more orderly or attentive assembly.

The examination of the evidence adduced by Sheik Imamooddeen in support of his statements occupied the first day till 3 in the afternoon. We thought it better to close the proceedings for that day, and give the Durbar time and opportunity to prepare their defence. The court, therefore, adjourned till 8 o'clock yesterday.

On its reassembly, all were again present, and several military officers also—a few only attended on the former day, not knowing that they would be permitted to do so.

The defence was then entered on by the Durbar, and occupied no less than two hours.

The proceedings in detail are inclosed for your Lordship's information.

A separate paper, drawn up by me, being an abstract of the proceedings, with our opinions on the evidence, and our unanimous decision as to the guilt of Rajah Lal Sing, also accompanies this letter. This paper is signed by all the members of the Commission.

It did not appear to me expedient that our decision should be proclaimed in that crowded and mixed assembly, I, therefore, proposed that the members of the Durbar, excepting Rajah Lal Sing, with the more influential Chiefs, being the heads and representatives of the principal families, should adjourn with us to my own tent. A list of these parties, twenty-two in number, will be found with the proceedings.

I went through the whole of the evidence, carefully and deliberately, to this assembly, and explained to them our decision, and the circumstances on which it was grounded.

I then, at once, explained that your Lordship had directed me, if Sheik Imamooddeen established his assertions, to state that it was not your intention, in consideration of the circumstances mentioned in your letter of instructions, to consider the misconduct of the Vizier as a violation of the Treaty, and as involving a termination of the relations which had been established between the two Governments, provided the other members of the Durbar and the chiefs disclaimed participation in the offence; but I stated that your Lordship did, in

the event of the Rajah's conviction, demand his being forthwith deposed by the Maharajah from his office of Vizier, and held under surveillance pending your Lordship's further orders, as it was manifestly impossible that the Government of the Maharajah could be carried on with any prospect of success by one who had proved so faithless to His Highness' interests, or that the British Government could continue to act in concert with one who had so grievously offended against them.

All were unanimous in determining his immediate deposition from the Vizierut, in expressions of approbation of your Lordship's justice and gratitude for the consideration and kindness of the British Government.

It was then agreed by the Sirdars that Rajah Lal Sing should be detained in the Duibar tent till his followers were removed from the Fort and Palace, which were to be placed under the charge of Sirdar Tej Sing, Dewan Deena Nath, and Sirdar Shere Sing, the brother-in-law of the Maharajah. On the relief of the Rajah's guards from the Palace, and the substitution of troops under Tej Sing, it was determined that Rajah Lal Sing should be escorted by a company of the State troops (Tej Sing's) to his own house in the town, without returning to the Palace.

All this was effected without the slightest trouble or disturbance of any kind. Colonel Lawrence accompanied Sirdar Tej Sing with Dewan Deena Nath and Sirdar Shere Sing to the Palace, and Lieutenant Edwardes, at the request of Sirdar Tej Sing, accompanied Rajah Lal Sing to his own house in the town.

Rajah Lal Sing is now under surveillance of Sikh troops, at his own house, awaiting, by the Chiefs' desire, your Lordship's orders as to his future disposal.

The government is to be carried on by a Commission composed of Sirdar Tej Sing, Dewan Deena Nath, Sirdar Shere Sing, and Khaleefa Nooroodeen, till some further arrangement is made. The seal of the Maharajah has been for the present deposited, at the joint request of those persons, with Colonel Lawrence.

Everything is to-day as quiet in the town as if nothing of interest to the people had happened, and the deposition of the Vizier is said to have given universal satisfaction.

The necessary proclamations to the provincial governors and district officers were issued before the Sirdars left my tent yesterday afternoon.

I have, &c.

F. CURRIE.

Inclosure 2 in No. 9.

Minutes of a Court of Inquiry assembled at Lahore on the 3rd of December, 1846.

PRESIDENT:

Frederick Currie, Esquire, Secretary to Government.

MEMBERS.

Major-General Sir J. H. Littler, K.C.B.

Lieut.-Colonel H. M. Lawrence, C.B., Agent to the Governor-General.

John Lawrence, Esquire, C.S.

Lieut.-Colonel Goldie, 12th Native Infantry.

AT 9 o'clock Ameer Rajah Lal Sing, Sirdar Tej Sing, Sirdar Shere Sing Atareewala, Sirdar Runjore Sing Majeethia, Bhaee Nidham Sing, nephew of the late Bhaee Ram Sing, Bhaee Puromun Sing, Sirdar Utter Sing Kalewala, Sirdar Sooltan Mahomed Khan, Sirdar Khwajah Mahomed Khan (son of Sirdar Sooltan Mahomed Khan), Sirdar Shumsher Sing Sindhanwala, Sirdar Koher Sing Sindhanwala (son of Sirdar Uttur Sing), Sirdar Runjore Sing Sindhanwala (son of Sirdar Bussawa Sing), Sirdar Khan Sing Atareewala (son of Sirdar Shum Sing), Sirdar Khan Sing Majeethia, Sirdar Lal Sing Morareea, Sirdar Urjun Sing Rhunghur Nunguleea, Sirdar Rum Sing Jhillawaleea, Baba Mean Sing, Sirdar Uttur Sing (brother of the Slave girl), Sirdar Jowahir Sing (son of Sirdar Hurree Sing), Sirdar Chunda Sing Kulalwala, Sirdar Purtab Sing Mahass.

On the part of Sheik Imamooddeen—Sheik Imamooddeen, Kurrum Buksh, Scindeh Khan Nooralahce, Gholam Russool, Lala Mitha Mull, Sheik Sahibooddeen, Nizamooddeen Khitmudgar, Lala Poorun Chund, with Bholanath, Wuzeer Sing, Dewan Duttoo Mull, Kunhya Lal; Jan Mahomed, Sudeek Khan, Colonel Summoond Khan, Colonel Bussunt Sing, Mirza Ahmed Beg, Kanh Sing, Jaffer Ali Khan, Lala Ruttun Chund, and Goordut Sing, officers of the Cashmerean Army.

On the part of Maharajah Duleep Sing—Nihal Sing Chachee, Shumsooddeen Khan, Sham Sing Dhunourawala, Jowahir Sing Bustenee, Bhaee Ameer Buksh Dhunourawala, Mulik Futteh Khan Towana, Isseeree Sing Soodh, Chunda Sing Zurgur, Bhola Sing Orderly, Sowana Sing (son of Bhaee Mah Sing), Mulik Sher Mahomed (son of Kadir Buksh), Ramjee Mull Commandant, Bal Sing Major, Sadho Sing, Sodhee Huzoor Sing, Sodhee Narain Sing;

With the following Officers of the Durbar and Departments :

Dewan Deena Nath, Faqueer Noorooddeen, Bukshée Bhuggut Ram, Rae Kishen Chund, Rae Bhag Sing, Lala Ruttun Chund Doogul, Lala Ruttun Chund (of the long beard), Dewan Hakim Rae, Dewan Jowahir Mull, Misr Sahib Dyal, Kadar Nath (brother of Dewan Deena Nath), Bhag Mull, Nundgopal (brother of Lala Ruttun Chund), Mutruddee Mull (brother of Dewan Hakim Rae) Boota Sing, Lala Hem Rae (son of Kanh Chund), Jye Kishen Moonshee.

Motmids (confidants) of the following Chiefs and Sirdars: Mool Sing, of Sirdar Tej Sing; Mukhun Mull, of Misr Bhugwan Sing; Kazee, of Sirdar Sooltan Mahomed Khan; Jowahir Sing, of Sirdar Runjore Sing Majeethia; Gainda Sing, of Sirdar Shumshere Sing Sindhanwala; Heera Nund, of Sirdar Shere Sing Atareewala; Lala Munglee Lal, of Rae Kishen Chund; Narain Sing, of Sirdar Sham Sing Atareewala; Jowalanath Mootsuddee, of General Courtlandt, Gholam Moheecooddeen, of Sirdar Kehur Sing; Kunhya Lal, of Rajah Maun; Asanund, of Sirdar Runjore Sing Sindhanwala.

Officers of Maharajah Duleep Sing:—

General Golab Sing Povindea.
General Courtlandt.
Colonel Courtlandt.
General Golab Sing Bhagoowala.

Agents on the part of the British—

Lala Hursurun Das.
Moonshee Bukshee Ram.

Assembled in Mr. Currie's Durbar tent.

Mr. Currie opened the proceedings, by informing the Sirdars present, that an inquiry would now take place into the causes of the late Cashmere rebellion, which had so nearly threatened to infringe the Treaty between the Lahore and British Governments.

He then turned to Sheik Imamooddeen, and said, that as he had come in, and submitted to the British authorities, on a promise that his conduct should be fully inquired into, and the causes of the rebellion be brought to light, this Court was now assembled for that purpose, and the opportunity was offered him of vindicating his conduct, and explaining fully the cause and origin of the late rebellion.

Sheik Imamooddeen being thus called upon, stated:—

“Poorun Chund, my vakeel, wrote twice to me from Lahore, to say, that if through my means Cashmere should still remain with the Lahore Durbar, and did not pass into the possession of Maharajah Golab Sing, it would be well for me. I said, that unless I received a written document to this effect, I could take no steps in the matter; it was not sufficient for Poorun Chund to write; Rajah Lal Sing or the Durbar must write. Accordingly, I did receive written orders, through Poorun Chund, and I have since given in the originals to Colonel Lawrence, Agent to the Governor-General.

“Upon the arrival of the perwana from the Durbar of Lahore, I showed it to my officers, and by their advice fired a salute in honour of it.

“I received the letters I speak of about the beginning of the Bhadoon (it might be the 1st, 2nd, or 3rd of the month, but the exact date I cannot state), a few days only (ten or twelve) before the fight took place.”

These papers are produced by Lieutenant Edwardes, who received them at Thanah, from Colonel Lawrence, and they are identified by Sheik Imamooddeen, as those he gave up to Colonel Lawrence, and which he received originally from Lahore.

No. 1.—Translation of a perwana from the Lahore Government to the officers and soldiers under the command of Sheik Imamooddeen.

“By the grace of God.”

Sign manual of Rajah Lal Sing.

To the officers, and sepoys, and non-commissioned officers under the command of the Governor Sheik Imamooddeen Khan Behadoor in Cashmere.

Seal of Maharajah Duleep Sing.

This order is now sent to you, and after receiving it, you will remain with the Governor Sheik Imamooddeen Khan Behadoor, doing the work of the State; and whenever he returns to the presence, you shall be kept on in the service as before. Have no fear, therefore, but remain with the person in question. This is an imperative order. Consider your welfare as my care.

Dated 15th of Sawun, 1903
(or 28th of July, 1846).

[N.B.—The original MS. is in the handwriting of Moonshee Ruttun Chund of the long beard. The last sentence “consider, &c.,” and the date, are in a different hand.]

No. 2.—Translation of an Ikrarnameh, or deed of promise, accompanying Letter No. 1.

“By the grace of God.”

Sign manual of Rajah Lal Sing.

I hereby promise that if my friend Sheik Imamooddeen Khan Behadoor, with good-will and fidelity to his proper masters, duly performs the task imposed upon him in a separate letter, my whole interest shall be exerted to secure him from being called to account by the British Government. Whatever allowance either he, or his jagheerdaree horsemen, or the Sheik, his late father, received from the Lahore Government, the same jagheers, and something added to them, as a reward for service, shall be assigned him in the Lahore territory. By the grace of God I will not fail to fulfil this that I have written.

Dated, Lahore, 12th Sawun, 1903,
(or 25th of July, 1846.)

[N.B.—The original MS. is in the handwriting of Lala Poorun Chund.]

No. 3—Translation of a letter from Rajah Lal Sing to Sheik Imamooddeen.

DOUBTLESS you will have perused the contents of my former letter.

My friend, you are not ignorant of the ingratitude and want of faith which Rajah Golab Sing has exhibited towards the Lahore Sirkar. It is indeed sufficiently glaring. I now write, therefore, to request, my friend, that you will not set before your eyes the example of your late father's former intercourse with the aforesaid Rajah, but consider both your duty and your interest to lie this way, and inflict such injury and chastisement upon the said Rajah, that he shall have reason to remember it. It is to be hoped that if the Rajah makes but one false step, he will never be able to re-establish himself again. For your security and confidence, my friend, I have sent you a separate written guarantee, that you may have no misgivings as to the consequences. Let me hear often of your welfare.

P S—Tear up this paper when you have read it.
Dated 13th Sawun.

[N.B.—The original MS. is in the handwriting of Lala Poorun Chund. The envelope in which the letter is inclosed is separate; and separate from that again is a slide of paper which closes the envelope; and on this latter is, on one side, part of the direction to Sheik Imamooddeen, and on the other, the sign manual of Rajah Lal Sing.]

Examination of Sheik Imamooddeen resumed.

Question. (To Sheik Imamooddeen.) What did you understand to be the meaning of this perwanna?

Answer. I considered that this paper was to assure the soldiers that they were to obey all my orders in an affair, the nature of which was explained more fully to me in a separate paper (No. 3).

Q That separate paper—is it this now before me, marked No. 3.

A. Yes, that is it.

Q. Who do you suppose the writer of No. 3?

A. Poorun Chund.

Q. Did it accompany No. 1, or come subsequently?

A. It came along with it.

(The paper is read in the Court; see the translation above.)

No. 2 is then shown to the Sheik, and he is asked if this is the ikranameh spoken of in No. 3?

A. Yes, it is.

Q. Did all these three papers come together?

A. They were all brought by one hurkaru, and came on the same day.

(The paper No. 2 is then read in the Court, see the translation above.)

Q. (To Rae Kishen Chund, who read the paper.) Is there any signature to it?

A. (By Rae Kishen Chund.) Yes, one such as the Rajah generally uses.

Q. (To the Sheik.) Whose handwriting is the paper in?

A. Poorun Chund's.

Q. Did you show all the three papers to the officers and soldiers, or only one?

A. Only the perwanna, as the other two did not concern them.

Q. Why did you not show the other two to them?

A. It was a thing to be concealed, not to be published.

Q. If you did not show those papers to the officers and soldiers, what did they fire a salute for?

A. Because they were made soldiers of the State, and were promised pay by the Sirkar.

Q. In what position, then, were they before?

A. Since the month of Phagoon, when the Treaty made over Cashmere to the Maharajah Golab Sing, they were out of public employ. When this

paper came, they thought they were continued on in the public service, and they fired a salute for joy.

Q. Were there any other papers of a similar nature addressed to the army by the Durbar?

A. No.

Q. Were there any others sent to you yourself?

A. Yes, one by the hand of Hakim Rae, and one by the hand of Colonel Uttur Sing Man; both were dispatched from Lahore before the fight, but reached me after it.

Q. What was the purport of them?

A. It was different. I have sent for them, and you shall see them.

Q. Besides these three papers now in Court, and the two others you speak of, by Hakim Rae and Uttur Sing, did you receive any verbal message by special messenger from the Durbar, instigating you to create disturbance in Cashmere?

A. None.

Q. Had you any doubt as to the authenticity of these papers?

A. None. My own vakeel forwarded them, and wrote to the same effect. He had always served me faithfully in private matters.

Q. Did it never occur to you that the perwanna might have been forged?

A. If Poorun Chund had ever forged before, I should have had reason to doubt; but he had never done so, and why should I doubt him?

Q. You say you were satisfied as to the handwriting of the body of the letter being that of Poorun Chund; but were you equally satisfied that the signature was that of the Rajah?

A. Yes; I saw no reason to doubt it; and I was also well acquainted with the handwriting of Ruttun Chund in No. 1, for before now I had disbursed thousands of rupees upon his written orders.

Q. Since the fight and your departure from Cashmere, have you received any other letters or messages from the Durbar?

A. Complimentary inquiries after my health—nothing more.

Q. Why did you not obey Colonel Lawrence's orders to leave Cashmere?

A. On account of these orders I had from Lahore, and the fidelity I owed that State.

Q. How many perwannas did you receive from Colonel Lawrence?

A. Three originals, and two copies—four before and one after the fight.

Q. Then, did you consider the meaning of those orders from Lahore, to be, that you were to follow them, in spite of any contrary ones from the British?

A. I was the servant of the Lahore State, and thought myself bound to obey its orders.

Q. Have you had any communication with the Rajah since you left Cashmere?

A. Many persons have gone between us, with general expressions of kindness and consideration, telling me that if this matter could be made up, and these papers be kept back from the British gentlemen, kindness would be shown me in passing my accounts.

(The Durbar and Sirdars are asked if they have any questions to put to the Sheik.)

Dewan Deena Nath asks one question.

Q. How came the Sheik to trust orders in Poorun Chund's handwriting, when public perwannas are always written by Ruttun Chund, especially in so important a matter?

A. Many other undoubted communications from the Durbar had come to me before in Poorun Chund's handwriting; and why should I doubt this one in particular, which was not on a matter that could be entrusted to the public writer of the Durbar?

Q. By Deena Nath.—Can you produce any of those other papers which you say came to you in Poorun Chund's handwriting?

A. I have none here now; but I gave two at Thanah to Colonel Lawrence, for the purpose of comparison.

Q. Have you preserved any of those letters which Poorun Chund wrote to you on this same subject of the rebellion?

A. No; I destroyed them.

Ruttun Chund, of the long beard, was then called and examined.

Q. Is this perwanna No. 1 in your handwriting?

A. The body of the paper is in my hand, but the date is by another—the cause of which I will now explain. I am the person who is in the habit of writing the State papers, as was my father before me for many years. I was called to write a tusulleenah to the troops in Cashmere. Rajah Lal Sing and Poorun Chund were sitting and conversing side by side. The nature of their conversation I do not know. The Rajah said to me, “Write a tusulleenah to the troops in Cashmere.” I wrote the paper now before the Court. I have been in the habit of writing such papers. Having written the tusulleenah, I was called on to read some letters of intelligence to the Rajah, and I put the perwanna into Poorun Chund’s hands and said, “Put the date to this.”

Q. Do you think the date put to it is correct?

A. I have no reason to doubt it. I know it was about that time.

Q. Are you in the habit of writing all the State perwannas, or are others employed also?

A. I am; those relating to Mooltan, Peshawur, and Cashmere, are usually written by me.

Q. Were any other perwannas written by you at any time to the same parties in Cashmere?

A. Before this I may have written some. Indeed I did write some, telling them to come away; for I was in the habit of answering the urzees from the officers in Cashmere; but since the date of this perwanna, I have not written any.

Q. This is a letter of encouragement. Does it relate to any instructions given in any other paper?

A. None that I know of. A perwanna is written on the instant when ordered. It is not usual for copies of perwannas to be kept, except when on important matters.

Q. Is this signature on the perwanna the Rajah’s? and this seal the Maharajah’s?

A. Yes, that is Lal Sing’s signature. It was signed in my presence. That is also the Maharajah’s seal. It was affixed by Bukshee Mohur Sing.

Q. Is it usual for all orders and communications between the Rajah and Chiefs to be written by the official secretaries?

A. It is more usual, but not invariably so. Anybody ordered can write, *i. e.* any one trusted who is about the Durbar.

Q. In the event of making a confidential communication to any chief, or person of importance, is the motmid of that party so addressed ever in the habit of writing that letter in which the signature of the Durbar is placed?

A. There is no objection to this course, which is not an unusual one where the parties have confidence in each other.

Q. You say Rajah Lal Sing and Poorun Chund were sitting talking together, on what subject you know not. Did Poorun Chund at that time write any paper in your presence on which the Rajah put his signature?

A. Not that I saw.

Q. Was Poorun Chund ever in the habit, to your knowledge, of writing papers on any subject, to Sheik Imamooddeen, by the instructions of the Rajah?

A. This is a thing known not only to me but to everybody, that he was in the habit of doing so. Poorun Chund was constantly present with the Rajah—he was a man trusted; and it is by no means unusual for motmids to write to their principal by the instructions of the Rajah. Poorun Chund is my equal.

Q. What do you take to be the meaning of this perwanna?

A. I don’t know. I was told to write a tusulleenah to the troops, telling them that they were the servants of the Sirkar, and were to be obedient to the Sheik, without fear of consequences. It is not for servants to ask the meaning of their masters. They write what they are told.

Q. Do you know the signature of the Rajah? Look at these on the other papers (outside of 2 and inside of 3) and say if you think they are the Rajah’s.

A. They are his style: they have the appearance of being his. I see no difference.

The Sheik is asked if he has any question to put?

A. None.

The Durbar are asked if they have any inquiries to make ?

A. None.

Lala Poorun Chund, Vakeel of Sheik Imamooddeen, is called in and examined.

Q. Is this paper, No. 3, in your handwriting ?

A. Yes it is.

Q. Under what circumstances was it written ?

A. By the Rajah's order.

Q. You are the Sheik's motmid with the Durbar. State what was the cause of this letter being written

A. I had previously written, by the Rajah's orders, some letters to the Sheik, to the same effect, viz., that he was to oppose the Maharajah Golab Sing's getting possession of Cashmere, and if he created disturbance there, to secure this object, his doing so would be considered good service. Some of these letters were lost ; one or two arrived ; in reply to which the Sheik answered, that in a case of this sort he could not act on my writing. For his own assurance, he must have a written order from the Rajah, and that it would be advisable to have a tusulleenah, for the troops to set their minds at rest.

Q. Were any other papers sent along with the letter written by yourself ?

A. The three papers now on the table went by one hurkaru.

Q. Is the signature on the envelope of 3 the Rajah's ?

A. It is certainly the Rajah's.

Q. Was it placed on the cover in your presence ?

A. I wrote the letter before the Rajah, and gave it to him. He signed it in my presence, and returned it to me.

Q. Was the signature to No. 2 affixed in your presence ?

A. It was.

Q. There is a difference of one day in the dates of these two papers written by you. How is this ?

A. The ikrarnameh was written by the Rajah's order one day, and it was intended that another should be written to go along with it. But some other important business called the Rajah, which prevented him. Next day, by the Rajah's instructions, the letter was written, and signed by him in my presence, the three papers were dispatched altogether some two or three days after the writing.

Q. Was the tusulleenah to the soldiers written in your presence, and how comes the date of that to differ from that of the others ?

A. After the letter was written, and before it was dispatched, I received the perwana above referred to from the Sheik, saying it would be necessary to have a tusulleenah for the troops. I represented this to the Rajah, when he ordered Ruttun Chund to write one before me, and then the three papers were sent off together.

Q. In other matters, previous to this, had you been in the habit of writing letters on the Rajah's part to the Sheik ?

A. Often, always. A few may have been written by other Moonshees, but, in general, all communications from the Rajah to the Sheik were written by me.

Q. Have you still got that perwana from the Sheik asking for a tusulleenah for the troops ?

A. No. Most of the Sheik's perwannas were destroyed in the Rajah's presence, others were destroyed afterwards by myself.

Q. You, who were the medium of correspondence between the Rajah and the Sheik, what did you understand to be the Rajah's object ?

A. I cannot tell what was in his heart, of course ; but I believe it to have been the enmity which has so long existed between the Rajah and Golab Sing. He wished to create disturbances that might prevent Golab Sing from getting possession of the province. He never promised, through me, that the province should be given to the Sheik, either to be his own, or to hold for the Lahore Government.

Q. At whose instigation was there an agent sent by the Sheik to Simla ?

A. I don't know ; he was sent from Cashmere, not from Lahore.

Q. How long have you been the Sheik's motmid ?

A. Ever since his father went to Cashmere, six or seven years ago.

Dewan Hakim Rae is called in and examined.

Q You were sent from here on the part of the Durbar ; had the fight occurred at that time or not ?

A. I will state the circumstances at full. I was one day sent for by the Rajah. I asked what he wanted me for ; he said, to bring the Sheik, and to settle the accounts in Cashmere, and if there was any difficulty, to write word to him. This was towards the end of the month of Sawun ; only a few days left of the month. I replied, that this was a very important business, and a difficult one ; that the interests of Golab Sing and the British Government were concerned in it ; and I begged to be excused. The Rajah said, " No, you must go." I at last agreed. Two days afterwards, he again said, " Make ready, you must be gone." I said, " What are my orders ?" He took me aside, and said, " The Sheik has already got his orders, you go and aid and advise him." I immediately said, (and asked the Dewan to back my petition,) " Let me not be employed in this matter ; it touches the British Government, and I am afraid for myself."

I implored Dewan Deena Nath to get the Rajah to let me off, but the Rajah said I must go. I then applied to Sirdar Tej Sing to get me off, but without success. Buxshee Bhugut Ram is my witness. I said, " My honour and my worldly interest will all be ruined." Tej Sing said, " It can't be helped ; you must go."

I then went to Jowahir Mull, and said that I would rather give up all my jagheers, and even fly the country, than go on such an expedition. Jowahir Mull said, " Go, it is your fate, and fate must be obeyed."

Faqueer Noorooddeen then took me to Major Macgregor and said, " Here is the Dewan ready to go ; please to send a motmid on your part along with him." Sohun Lal was then sent to Major Macgregor for the purpose of preventing Golab Sing from offering any hindrance to the Sheik's departure. I made many excuses to Major Macgregor, and said " The country is inundated." He said, " Never mind, you must go."

I then explained to the Rajah that I had to make over an important office. He said, " Never mind that, you must set off." I then went.

We set out, and crossed the river at Shahderrah, where Sohun Lal said, " We are to go by Jummo." I wrote, and told the Rajah ; and said to Sohun Lal, " Very well, you go the regular marches, and I will go on a-head to Sealkote, which is my home " This I mentioned in my letter to the Rajah, whose answers I produce (Nos. 4 and 5), to the effect that I was not to go by way of Jummo, but by Bhimber, Nowshera, and Rajourie. These letters reached me at Sealkote (See appended translations in full.) In eighteen days I reached Rajourie, and halted one day. The night of the halt news came of the fight in Cashmere. I was then afraid to go on, and wrote to the Sheik, to tell him of my being at Rajourie. When I got his answer I set out, and reached Cashmere in about seven or eight days. When I got there, I took him aside and showed him the orders of the Durbar (contained in a perwanna produced in Court). He professed obedience. The perwanna is written by Dewan Deena Nath.

Q. There is nothing improper in this perwanna ; why did you raise so many objections to go with it to Cashmere ?

A. It was not that order that alarmed me. It was the private verbal orders from the Rajah, which I have already mentioned, to go and aid and assist the Sheik ; and these orders were in direct opposition to the perwanna. This perwanna was the open order of the Durbar, the other was the secret one, which endangered my jagheers and my life. The Durbar gave me presents of shawls, &c., at departure, worth 2,500 rupees, and should I not have been glad to go, if I had not known it was a dangerous mission ?

Q. When you arrived at Cashmere, did you abide by the public, or the private orders of the Durbar ?

A. Put the Sheik on his oath, and ask him if I did more than give him the perwanna, which he agreed to obey, and, in fact, he did ; for he suspended operations, and said he only delayed leaving Cashmere till he got a tusulleenameh. The Sheik proposed to me to ask Rutnoo to come out of the Hurree Purbut. I refused ; so did Sohun Lal. Guneshee Sing, and Kashee Nath, and Sohun Lal, did go to the fort, and tell the garrison the Sheik's proposal, but

they advised them not to agree to it. After eight or ten days hostilities were renewed in this way. The Sheik had taken advantage of the truce to push on his approaches and sap, which they perceiving, threw out a breastwork and countersap, and firing recommenced. Before this 100 prisoners were released by the Sheik, at my intercession

Q. Do you mean, on the whole, to say, that you so far obeyed both your orders as to delay on the road; but when you got there you gave good advice?

A. I mean to say that I had two orders, one secret and verbal from the Rajah, the other open, from the Durbar. On the road to Rajourie I obeyed the first, by delaying on the march; but when I got to Cashmere, I acted on the written instructions, and did my best to stop the rebellion, and persuade the Sheik to come away. (Rajah Lal Sing was here asked if the signatures on the three papers are his.)

He acknowledges that on No. 1, denies those on 2 and 3

Q. (to Hakim Rae.) When you got to Cashmere, did you ask the Sheik if the fight had taken place by the orders of the Rajah or without his orders?

A. I did ask him, and the Sheik laughed. I said, "What is the use of making a secret of it?" He replied, "I may have got orders, but I will not show them, because it would be unfaithful to the Durbar, and might be injurious to the Lahore State."

The Rajah Lal Sing denying the authenticity of two of the signatures purporting to be his, Lala Poorun Chund, in whose handwriting the papers are, is called on to prove the verity of the signatures.

Poorun Chund suggests that a number of undoubted signatures of the Rajah should be collected, and compared with the two in question

A long discussion with Dewan Deena Nath, and others, as to the best means of investigating the authenticity.

Rajah Lal Sing is called on to explain the reason of his writing the tusulleenameh to the troops.

He states, that Poorun Chund informed him that the troops were out of heart; and though the Sheik was willing to come away, yet he could not come by himself, and the troops would not come away with him, unless they were assured of their pay from the Lahore Durbar.

Q. When you found that on receipt of this perwanna, ordering the troops to obey the Sheik, they did obey him in opposing Maharajah Golab Sing, did you write another perwanna explaining to them that the meaning of the former one was not that they were to oppose Golab Sing, but to come away with the Sheik from Cashmere?

A. No, I did not.

Question to the Durbar. Do you wish to have time to make a written defence, or reply to what has been said?

Answer by Deena Nath. No, it is in your hands—act as you think right.

Rajah Lal Sing is asked if he would not like to wait till to-morrow, to make his reply to the charge of having signed and sent these papers, or to produce evidence to rebut that brought forward on the other side?

The Rajah gave no answer; but the Court decided that it was right to give him till to-morrow for reflection, and making out his defence

This being communicated to him, he observed, that nothing was easier than to forge any man's signature.

The Court was adjourned at half-past 2 P.M. till 8 A.M. to-morrow.

At 9 o'clock A.M., 4th December, 1846, the Rajah, Sirdars, Sheik Imamooddeen, and his officers, being assembled, the Court resumed its sitting.

Ruttun Chund, of the long beard, is again called in, and asked

Q. Was there any one else present on the occasion when you wrote the perwanna, besides Rajah Lal Sing and Poorun Chund?

A. At some distance were some of the Rajah's attendants, &c. &c.

Q. Was there any other Chief of the Durbar present ?

A. No.

Q. Did you ever communicate the order to any of the other Chiefs of the Durbar ?

A. No.

Q. As far as you are acquainted with the facts, was anybody else aware of that perwanna having been written ?

A. If any other of the Ministers gives an order, we report it to the Rajah, of course ; but if the Rajah gives an order, he is master, and there is no necessity for informing anybody.

Rajah Lal Sing is called on for his reply.

Dewan Deena Nath reads a paper.

The contents may be summed up in a few words, under the following heads :—

1st. That forgeries are very common, and have caused great trouble in the Punjab ; therefore it is not unlikely that the documents now produced are false.

2ndly. That it is incredible that the Rajah, after signing and agreeing to the Treaty between the two Governments made at Lahore last year, should do anything in contravention of its terms.

3rdly. That it is not at all likely the Rajah would employ Poorun Chund to write secret letters of such importance to the Sheik.

4thly. That the Sheik was at one time ready to come away, in obedience to the Durbar's orders, and wrote to say so ; if after that he rebelled, he did so on his own account.

He is finally requested to write out a fair copy, and deposit it with the Court, who will cause it to be translated, and record the contents in full.—(See Appendix.)

With reference to some remarks of Deena Nath's, implying that the rebellion of the Sheik was entirely of his own raising, Sheik Imamooddeen puts it to the Court, whether it is likely he should, single-handed, undertake to oppose the British, who had conquered the Sikhs, and given Cashmere to Maharajah Golab Sing, unless he had been promised assistance from Lahore.

Lala Poorun Chund is again asked, and declares that he has been times innumerable employed by the Rajah to write perwannas to different parties, and in particular to Dewan Moolraj, which Rajah Lal Sing must know very well, and will not deny.

Rajah Lal Sing remarks, that to make the cases parallel, he ought to have employed Jus Mull, the vakeel of Dewan Moolraj.

With reference to the question asked yesterday by Dewan Deena Nath, if the Sheik could show any other letter from the Rajah, written by the hand of Poorun Chund, a paper is now produced by Sheik Imamooddeen, addressed to him, a long while ago, by the Rajah, and which is also in the handwriting of Lala Poorun Chund, two others were given up by the Sheik to Colonel Lawrence at Thanah ; and the Sheik says there must be many others among his papers. The paper being shown to Rajah Lal Sing, is recognised, and acknowledged by him as authentic. (No. 7.)

With reference to the objection made by Dewan Deena Nath, that it is not probable the Rajah would employ Poorun Chund in so important an affair, Poorun Chund says that, if the Court wish, he will prove that he has been employed by the Rajah, before this, in other affairs much more important and secret even than the Cashmere rebellion—*e. g.* in the negotiations between Rajah Lal Sing and Maharajah Golab Sing, to murder Heera Sing and Pundit Julia, the letters from the Rajah were written by Poorun Chund.

Mr. Currie and the members of the Court then withdrew, inviting the Ministers and chief Sirdars to attend them in Mr. Currie's tent, and hear the decision of the Court. Rajah Lal Sing, Sheik Imamooddeen, and the rest of the Sirdars, remain with Lieutenant Edwardes, Assistant Commissioner, and Secretary to the Court.

Appendix.

It was expected that Dewan Deena Nath would give in the written defence of the Durbar, as read by him from notes. A very brief note of its general contents was therefore made in its proceedings. The Dewan has not sent the defence, it cannot therefore be recorded; but a fuller statement of its import is recorded in the précis, drawn up by Mr. Currie, and signed by the members of the Court.

The original papers filed by the Durbar and by Sheik Imamooddeen, are sent with this with reference to the nature of the former, and their non-applicability to the matter at issue, it has not been considered necessary to make translations of them.

The depositions of the parties are all recorded in Persian in the Agent's office.

F. CURRIE, *President.*

Abstract of Proceedings, with remarks and decision.

The statement of Sheik Imamooddeen is to the effect that he received secret instructions from the Vizier Rajah Lal Sing, through his confidential agent Poorun Chund, to resist the occupation of Cashmere by Rajah Golab Sing, and to create disturbances in the province; that he replied, in a matter of this kind, the mere letters of Poorun Chund would not be sufficient for him to act upon, he must have a writing from the Rajah to himself, and a paper to assure and guide the troops; and that he subsequently received the three papers which he delivered to Colonel Lawrence at Thanah, and that he considered these papers his warrant for raising the rebellion which he had headed, and in which Vizier Luckput Rae and others were killed.

The proofs adduced by Sheik Imamooddeen in substantiation of his statement, are these:—

1. A letter said to have been written to him by Rajah Lal Sing, desiring him to create disturbances in the Province of Cashmere, and oppose the occupation thereof by Maharajah Golab Sing, dated 13th Sawun.

2. An ikrarnameh, dated 12th Sawun, which accompanied the said letter, engaging to maintain him in his jagheers, and to intercede with the British officers for his Julunder property, and promising further reward to him, and to his followers, if he did as directed in the letter.

3. A perwanna from the Durbar to the officers and soldiers in Cashmere, exhorting them to exert themselves and do good service (khidmut) at the bidding of the Sheik, without fear of consequences, and promising in that case, that they should be continued in service when they came to Lahore.

4. The evidence of Poorun Chund, in corroboration of the statement of the Sheik, as to the nature of the communications which passed between Rajah Lal Sing and the Sheik, through him, his confidential agent at Lahore, and as to the authenticity of the documents.

5. The evidence of Dewan Hakim Rae, a confidential servant of the Durbar, who was deputed from Lahore in August, to bring away the Sheik from Cashmere.

Translations of the above letters and paper, and a transcript of the evidence in full, are in the proceedings.

The above is the evidence adduced by the Sheik, the examination of which occupied the whole of the first day.

On the second day Dewan Deena Nath, on the part of the Durbar, read from notes a paper to the effect that, from the date of concluding the Treaty, the Durbar had at once set themselves to work to carry into effect its provisions, and that in no instance had anything been done in opposition thereto; that in regard to Cashmere, measures had been taken to put the officers of the Maharajah Golab Sing in possession of the province, and that as early as May last, the Hurree Purbut was made over to Luckput Rae, the Maharajah's

Vizier, who had given a dukkulnameh (a deed acknowledging possession), which he had with him, and would produce. In evidence of these assertions, copies of several perwannas to Sheik Imamooddeen, written on different dates about April and May, peremptorily directing him to make over the province and the forts, according to the terms of the Treaty, were produced, the authenticity of which the Sheik did not deny; an urzee from the Sheik to the Durbar was also read (admitted by the Sheik) acknowledging the receipt of these orders, and stating his readiness to obey them, but urging the difficulties of settling his accounts with the Maharajah, and making the necessary arrangements in accordance with the Treaty, and requesting a few months' delay. This urzee is dated 1st Bysack, early in May.

The defence then proceeded, in reference to the statement of Dewan Hakim Rae, to state that several perwannas had been sent to that officer from the Durbar to hasten on his way, and to perform the service on which he had been sent to bring away the Sheik. Some of these were produced, and admitted by Dewan Hakim Rae. It was urged that Hakim Rae having, contrary to the orders of the Durbar, made culpable delay in proceeding to Cashmere, had concocted the story of secret instructions to exculpate himself.

The next point referred to was the facility of forging signatures, and the great difficulty in detecting such forgeries; in proof of which two orders on the Lahore Pay Office were put in, on which it was asserted pay had been issued on the faith of the signatures being that of Rajah Lal Sing, and which proved afterwards to have been fabricated. (The signatures were clumsy imitations.)

The defence then referred to the evidence of Poorun Chund, in regard to the ikranameh and letter, in his handwriting, to the Sheik, and stated that it was never the custom of the Durbar, or Vizier, to send an order or important communication to a principal in the handwriting of his confidential agent, but usually the Durbar Moonshees only wrote these orders or communications, but that sometimes other parties, but never the Agents of the parties addressed. (To this Sirdar Shere Sing Attareewala dissented, and told the Dewan that he knew the facts to be otherwise.)

The defence concluded by general observations of the kindness, consideration, and mercy shown by the British Government to the Maharajah, and to the Durbar and to all its members, and dwelt on the improbability, not to say impossibility, of their being so mad as to do an act which must endanger not only themselves and their prospects individually, but must affect the interest of the Maharajah and the existence of the Government. It is stated that this was one of the machinations of Maharajah Golab Sing, whose creature the Sheik was, and had always been, and that this infamous plot was contrived by the Maharajah for the destruction of the Durbar.

Dewan Deena Nath stated that he had nothing further to urge, and the Sheik was asked if he had anything to say in reply. He stated, in reference to the assertion, regarding confidential agents never being employed to write to their principals, that he had numberless letters from the Rajah to himself, written by Poorun Chund, which the Rajah could not, if produced, deny; that two of these he had given to Colonel Lawrence at Thanah (these were with Colonel Lawrence's office, which has not yet arrived, and could not be produced,) and that he had one with him which he requested might be examined, and shown the Rajah. This was a letter written to the Sheik, in the handwriting of Poorun Chund, and bearing the signature of the Rajah, evidently corresponding with those in the letter and ikranameh. This communication was apparently sent in April or May. It began by lamenting that the Province of Cashmere had been made over to Golab Sing, but stated, that as such was the will of the British Government, it could not be helped. It told him, that when he had made over charge of the Government to the new possessors, he should come to Lahore, where all kindness and consideration would be shown him, and arrangements for his future provision would be made. (The Rajah admitted the authenticity of the letter.)

The Sheik requested that Poorun Chund might be examined as to the important matters in which letters had been written by him in the name of the Rajah, and as to the extent to which the Rajah trusted him. This was assented to. Poorun Chund then commenced disclosures of secret affairs in which he had been employed by the Rajah to write to the Sheik, and other parties, to bring about the murder of Rajah Heera Sing and Pundit Julla, and relative to his having been employed to negotiate the sale of gold stolen from the

palace when the Rajah was Toshakhanneah, but these being foreign to the question at issue, the Court did not think it right to allow him to proceed.

The Sheik said he had nothing further to urge.

With regard to the first letter produced by Shqik Imamooddeen, it is in the handwriting of Poorun Chund, and not of any of the Durbar Moonshees, but it bears the signature of the Rajah, to all appearance. The Rajah denies this signature; and though, from a comparison with a great many other undoubted and admitted signatures of the Rajah, there seems no reason to doubt its authenticity, it is difficult to prove judicially its genuineness. The genuineness of the letter itself, as to the instructions of Rajah Lal Sing, must rest mainly on the circumstances of the case which will be adverted to more fully hereafter.

The ikrarnameh is also in the handwriting of Poorun Chund; it bears a date differing one day from that of the letter, which accompanied it; this circumstance is satisfactorily explained by Poorun Chund, in his evidence, and the fact of this difference of date is not to be lost sight of, a person fabricating two documents connected one with the other, and concerning the same transaction, stated to have been sent and delivered by the same bearer, would not be likely to make them of different dates, and thus to render an explanation of their discrepancy necessary. The same as was said of the writing and the seal, in the case of the letter, is equally applicable to the ikrarnameh. The seal appears genuine, judicial proof of its genuineness, apart from the circumstances of the case, is difficult.

The perwanna is in the handwriting of Moonshee Ruttun Chund Reshderras, the Durbar Moonshee. Its authenticity is proved by the writer, and admitted by the Rajah. It is a remarkable document; a literal translation of it, with its date, is given in the margin.* This, though not noticed by the Durbar in the defence, was stated by the Rajah, on its being produced, to be the only document addressed by him to the troops in Cashmere, either before or after the rebellion. It is proved by the Durbar Moonshee, that it was written by the order of Rajah Lal Sing, when none of the other members of the Government were present, and that it was written after a private and secret conference, the purport of which he does not know, and at the close of which he was called to write it. The Rajah states that it was written at the request of Poorun Chund, who told him that the Sheik asked for a document to assure the troops, and to promise that they would receive their pay on arrival at Lahore with the Sheik, if they would come with him, and that the Sheik could not come away without the troops, as he was afraid of Maharajah Golab Sing, and of being plundered by the way.

But the purport of the perwanna is quite different, it does not direct the troops to leave Cashmere, and accompany the Sheik to Lahore. It directs them to remain with the Sheik in the performance of service at his bidding, and to have no apprehension. What assurance and encouragement could the troops require to come to Lahore for their pay?

But if such was the purport and intent of the perwanna, why was its existence studiously kept secret from the political officers at Lahore, who were in daily communication with the Rajah about the evacuation of Cashmere, when every minute circumstance in connection with the affairs of Cashmere, was constantly discussed? On the arrival of this perwanna a salute was fired by the troops. Shortly afterwards the rebellion broke out, and these troops did perform service with the Sheik at his bidding, by attacking the troops of Maharajah Golab Sing, killing the Vizier Luckput Rae, and putting themselves in open rebellion in the province.

If the Rajah did not intend this to be the result of his perwanna, he would assuredly have sent another, explaining what he did mean, and ordering the

* Be it known to the officers and soldiers and office-bearers, who are under the orders of Ameenool Moolk Sheik Imamooddeen Behadoor, Governor of (appointed to) Cashmere.

At this time the orders of the Maharajah are issued to you. It behoves you, on the receipt of His Highness' order, to remain with Ameenool Moolk Sheik Imamooddeen, in performing services for the Government, and whenever you return to the presence, you will be continued in the service. Be assured, have no apprehension. Remain with the Sheik. Attend to this order.

This bears the seal of the Maharajah, and the signature of Rajah Lal Sing.

Dated 15th Sawun, 1903 (or 28th of July, 1846).

troops to come away, in direct terms; but he admits that he sent the troops no other communication. If he did not mean the rebellion to be the result of his order, he is still responsible for such result when he took no means to counteract it. It is altogether impossible, however, to believe, that a document so worded, independently of other circumstances, was intended to be understood by the troops that they were merely to return to Lahore. If it were an obscurely worded document, which it is not, its meaning must be judged by the result it produced.

The Rajah states that his perwanna to the troops was sent to Sheik Imamooddeen, at his request. It could not possibly have gone alone. It must have been accompanied by some perwanna or letter to the Sheik, apprizing him of its having been sent, and of its purport. The Sheik produces the letter, which he says accompanied it, and which, if true, explains distinctly the meaning of the perwanna and the transaction. The Rajah denies the authenticity of this letter, but does not produce or refer to any other; and as some letter must exist, and the Rajah has no other to adduce, it is but fair to the Sheik, and in accordance with reason, to suppose that the one produced by the Sheik is the true one.

The letter and *ikrarnameh*, moreover, have all the appearance of authenticity, and their seals of being genuine; *prima facie*, there is nothing but the improbability of the transaction, to throw doubt upon them,—the fact of the transaction is established independently of them by the perwanna. All circumstances favour the belief of their authenticity, and the only attempt made by the Durbar to establish their invalidity has signally failed.

Supposing the letter and *ikrarnameh* to be true, the perwanna to the troops is quite intelligible, and all is in keeping. Assuming them false, and the Rajah's story true, the perwanna, and the reasons for writing it, are altogether inexplicable.

The evidence of Poorun Chund, as might be expected, tallies with that of his principal, Sheik Imamooddeen. It was given, however, with all the appearance of being true. Every opportunity was given to the Durbar to disprove it, and the only attempt they made to do so failed. The explanation of the discrepancy of dates is satisfactory.

The evidence of Dewan Hakim Rae is important. He was deputed by the Durbar to Cashmere about the period that the letter was written. He was sent in consequence of the Political officers urging the Durbar to send a special emissary to bring away the Sheik, who was assuming a posture of defiance. It was of importance that he should go with all expedition, and invested with authority to bring away the Sheik. His open instructions were to this purport. He declares that he received secret verbal instructions from the Rajah, directing him to aid and assist the Sheik, who had been written to by him to raise disturbances, and oppose the occupation of Rajah Golab Sing. A vakeel from the Agency was sent with the Dewan, to take him the nearest road, by Jummoo. On learning this, by the written representation of the Dewan, Rajah Lal Sing ordered him to go by the circuitous route of Bhimber and Rajourie. The Dewan, who was in constant communication with the Rajah, took twenty days in reaching Rajourie, which he could easily have done in seven, and did not reach that place until the rebellion had broken out. His delay was known to the Rajah. Perwannas were certainly sent by the Durbar to hasten on, but no other emissary was sent to enforce the orders, the neglect of which was known, till at last the Political Agent insisted on another officer going, and then Utter Sing was dispatched. The written orders to go by Bhimber and Rajourie, and not as the Political Agent directed, by Jummoo, and the unaccountable delay in reaching Rajourie and Cashmere (he was one month and eight days in going, and fifteen days in returning), tend to confirm the statement which he makes, that he received secret orders from the Rajah, contrary to those which were given openly by the Durbar.

The circumstances stated in the defence bear very little on the matter at issue. The only facts stated are: 1st, the orders given by the Durbar to the Sheik, to evacuate the province, 2dly, the perwanna sent to Dewan Hakim Rae, to proceed on his mission; and 3dly, the practice of never employing an agent to write the letter addressed to his principal. The two first of these are admitted, and they do not affect the case; and the third is satisfactorily disproved by a document admitted to be true.

Upon full deliberation and consideration of the evidence and statements

referred to above, we are unanimously of opinion that it is established and proved, that the Vizier, Rajah Lal Sing, did encourage Sheik Imamooddeen to excite disturbance in Cashmere, and to oppose the occupation of the province by Maharajah Golab Sing: and that he did encourage the troops in the province to aid Sheik Imamooddeen in the late rebellion.

We do not find it proved that the other members of the Durbar were participators with the Rajah Lal Sing in the above proceeding, or cognizant thereof.

F. CURRIE, <i>President.</i>	} <i>Members.</i>
H. M. LAWRENCE,	
J. H. LITTLER, M.-Gen.,	
JOHN LAWRENCE,	
A. GOLDIE, Lt.-Col.	

Inclosure 3 in No. 9.

The Governor-General to F. Currie, Esq.

*Camp, Bhyrowal Ghat, Left Bank of the Beas,
December 7, 1846.*

Sir,

THE course which you adopted, as communicated in your letter of the 2nd instant, of associating Major-General Sir J. Littler and Lieutenant-Colonel Goldie, with yourself and the officers of the Political Department, Lieutenant-Colonel Lawrence and Mr. J. Lawrence, for the purpose of inquiring into the causes which led to the insurrection in Cashmere, has my entire approbation.

You selected the best form and mode of proceeding, and the invitation given to the leading chiefs to attend the examination of the witnesses in open Durbar, was well calculated to satisfy all parties that the inquiry would be conducted in a fair and impartial manner; and I am gratified to find, by your report of the 5th instant, received this morning, that the Chiefs had unanimously assented to the mode of investigation as being satisfactory to them.

I observe that sixty-five Chiefs attended the proceedings, and that, after the examination of the witnesses had closed, and the written notes of the Vizier's defence were read, you went through the whole of the evidence, explaining to the assembled Chiefs, whose names are enumerated in the minutes, the grounds on which you, and the officers associated with you had unanimously come to the decision that it had been proved that the Vizier, Rajah Lal Sing, did encourage Sheik Imamooddeen to excite disturbances in Cashmere, and oppose the occupation of the province by Maharajah Golab Sing.

You further state that all the Chiefs were unanimous in assenting to the immediate deposition of the Rajah from the Vizierut.

I have attentively perused the whole of these documents. I concur in the decision, which is clearly justified by the evidence, and I confirm it.

You will address Maharajah Duleep Sing, transmitting your letter through the present members of the Durbar, and stating that I have read your report of these proceedings, which have received my confirmation.

That it is a subject of much regret to me, that his Highness' Vizier should have been guilty of the crime of secretly encouraging the Governor of the Province of Cashmere to violate the Treaty of Lahore.

You will state that the British Government takes a deep interest in His Highness' welfare, on account of his youth, and the difficulties of his position; that I appreciate the good conduct of His Highness' troops under Sirdar Tej Sing and Sirdar Shere Sing, in promptly marching to fulfil the obligations of the Treaty, and that I will not hold the State responsible for the criminal acts of the Vizier, in which it is not proved that the other members of the Durbar did participate.

You will further declare to His Highness, that I am satisfied to accept the deposition of the Vizier, as an atonement for his infraction of the Treaty, and to require that immediate steps be taken for his removal from the Punjab, and for placing him in the custody of the British officer in charge of the political duties at Ferozepore, whence the Rajah will be conveyed to such place of residence in the interior of Hindoostan as I may hereafter appoint.

G

No precautions will be omitted to insure the Rajah's personal safety.

You will repeat the assurance of my friendly disposition towards His Highness, and my desire to promote, by every means in my power, the prosperity of his people.

His Highness' Government must be convinced, by the acts of friendship shown in the course of the last eight months, that I am anxious to maintain the Treaty in all its integrity. You will refer to the declarations made by me in public Durbar on the occasion of its signature, and you will adduce the recent instances in which the co-operation of British officers employed by me, has been usefully exerted to assist His Highness' Government in the amicable settlement of disputed claims, as proofs of the motives by which I am actuated. In short, no opportunity has been neglected to aid the Government, and, if possible, save the State

It is, however, for His Highness' Government, and those of the Chiefs who have the greatest interest in the preservation of the Raj, to decide upon the course which it may be deemed most conducive for the interests of the State to adopt.

You will record my determination to hold the Lahore Government responsible for the tranquillity of the frontier.

It is my paramount duty to declare, that I cannot permit the renewal of a state of anarchy and military despotism, similar to that which existed last year; and that whilst I am anxious that the British Government should continue on terms of peace and amity with its neighbours, I am determined to maintain order; but that I cannot, after the experience, during the last eight months, of the mal-administration of the late Vizier Rajah Lal Sing, consent to leave a British force at Lahore beyond the stipulated period, for the purpose of supporting a Government which, in its present state of weakness, can give no assurance of its power to govern justly as regards its people, and no guarantee for the performance of its obligations towards its neighbours.

A frank declaration of these sentiments must be considered as an indication of a friendly desire to caution the Government to be most careful in the reconstruction of the Durbar, and the choice of a Vizier; and that in all these deliberations, the Governor-General has no intention of interfering in the internal affairs of the country, although I am ready, on the terms of the Treaty, to give the aid of my advice and good offices, for the furtherance of the interests of the Lahore Government.

I have been much gratified by observing the very judicious measures you have taken throughout these transactions, which have been conducted by you and your colleagues with the most careful deliberation, to secure the ends of substantial justice under circumstances of no ordinary difficulty.

I have, &c.

HARDINGE.

Inclosure 4 in No. 9.

F Currie, Esq, to Maharajah Duleep Sing.

Lahore, December 9, 1846.

A FULL report of the proceedings on the investigation which took place on the 3rd and 4th of this month, connected with the rebellion in Cashmere, with a statement of the opinion and finding of the officers who conducted the investigation, and of the circumstances that followed, was communicated to the Governor-General, who, in reply, has approved and confirmed those proceedings, and has directed me to communicate his Lordship's decision to Your Highness, with the following remarks.

It is a subject of much regret to the Governor-General, that Your Highness' Vizier should have been guilty of the crime of secretly encouraging the Governor of the Province of Cashmere to violate the Treaty of Lahore; and that, at a time when a British force was in the occupation of Lahore, at the solicitation of Your Highness' Government, for the express purpose of aiding your Highness in fulfilling the conditions of the Treaty, and of supporting Your Highness' Minister in the organization of the Government.

The Governor-General takes a deep interest in Your Highness' welfare, as

the son of Maharajah Runjeet Sing, the old and faithful ally of the British Government, and on account of Your Highness' youth, and the difficulties of Your Highness' position. His Lordship also appreciates the good conduct of Your Highness' troops under Sirdars Tej Sing and Shere Sing, in promptly marching to fulfil the obligations of the Treaty; and, in consideration of these circumstances, his Lordship will not hold the Lahore State, on this occasion, responsible for the criminal acts of the Vizier; in which acts it is not proved that the other members of the Durbar participated.

The Governor-General is satisfied to accept the deposition of the Vizier as an atonement for the infraction of the Treaty, but his Lordship considers the removal of Rajah Lal Sing from the Lahore territories, expedient and necessary, and requires that he should be forwarded immediately to Ferozepore, there to be made over to the charge of the political officer, whence the Rajah will be conveyed to such place in the British territories as his Lordship may appoint for his residence, and where the Rajah will be detained with every proper consideration to his comfort and dignity.

The Governor-General desires to repeat the assurance, so often given, of his friendly disposition towards Your Highness, and his desire to promote by every means in his power, the stability of Your Highness' Government, and the prosperity of Your Highness' subjects.

Your Highness' Government must be convinced, by the acts of friendship shown in the course of the last eight months, that the Governor-General is anxious to maintain the conditions of the Treaty in all their integrity. The recent instances in which the co-operation and advice of the British officers under his Lordship's orders have been exerted so beneficially for the interests of Your Highness' Government in the amicable settlement of disputed claims, and in the adjustment of other serious and embarrassing cases, must be a sufficient proof and evidence to Your Highness, of the motives by which the Governor-General is actuated, and which were fully explained to Your Highness' Durbar, and the assembled Chiefs, in March last, on the occasion of the ratifying of the Treaty of Lahore.

It is now incumbent on Your Highness' Government, and the Chiefs who have the greatest interest in the preservation of the Reasut, to decide upon the course which may be deemed best for the interest of the State to adopt, under present circumstances. It is the anxious hope of his Lordship, that such arrangements will be made, as may conduce to the establishment and maintenance of the Government; but it must be clearly understood that, after the experience, during the last eight months, of the mal-administration and bad faith of the late Vizier, Rajah Lal Sing, the Governor-General will not consent to leave a British force at Lahore, beyond the stipulated period, for the sake of supporting a Government which can give no assurance of its power to govern justly as regards its people, and no guarantee for the performance of its obligations towards its neighbours. It behoves Your Highness and the Sirdars of the State, to be most careful in the reconstruction of the Government, either by the appointment of a capable Vizier, or by such other course as may be deemed most expedient. In these arrangements the British Government can exercise no interference, but the Governor-General will be ready, if required, in accordance with the terms of the Treaty, to give the Government of Your Highness the aid of his advice and good offices, for the furtherance of the interests of the Lahore Government.

The Governor-General, however, considers it incumbent on him to caution Your Highness and the Sirdars of the Reasut, that his Lordship is determined to hold the Lahore Government responsible for the tranquillity of the frontier, and that he will not permit the renewal of a state of anarchy, misrule, and military insubordination, similar to that which existed last year. His Lordship is anxious that the British Government should always continue in terms of peace and amity with its neighbours, but it must hold the neighbouring State responsible that a state of things adverse to the interests of British subjects, and destructive of the tranquillity of the British frontier, shall not be permitted to prevail within it. My friend, I have communicated to Your Highness these friendly sentiments of the Governor-General, which have their origin in a sincere desire for the welfare of Your Highness' Government, and I feel satisfied that, by following the advice of His Lordship, Your Highness will secure the happiness and prosperity of yourself and kingdom.

Inclosure 5 in No. 9.

Maharajah Duleep Sing to F. Currie, Esq.

WITH reference to your statement, that you had reported to the Governor-General, the result of the investigation into the case of the recent disturbances at Cashmere, instituted by the Committee held on the 2nd of December, 1846, and that His Lordship, in reply, after a careful and attentive perusal of the proceedings connected with the case, had expressed his high approbation of the opinion given by the Committee, and confirmed the decision passed by them, I beg to remark that the British Authorities are incomparably wise, prudent, just, experienced, and capable of distinguishing truth from falsehood, and that they are sincere friends of this Government. I have full confidence in them, and entirely approve of the decision passed by them, after a due investigation into the case of Cashmere, which decision has been confirmed by the Governor-General.

In reply to your remark, that it has been a source of much regret to His Lordship, that notwithstanding a British force was stationed at this place in compliance with the request of the Lahore Durbar and the Vizier, for the purpose of affording aid for the stability and maintenance of this State, the Vizier (appointed by me) had pursued an unbecoming line of conduct, *i. e.*, he had secretly excited Sheik Imamooddeen (the Governor of Cashmere on the part of the Lahore Government) into rebellion, and instigated him not to make over Cashmere, which instructions were plainly and clearly in violation of the Treaty; I beg to state that this conduct of the Vizier has been a subject of much grief to this Government, and is considered a highly unwarrantable and unjustifiable act.

With reference to your statement, that the British Government has approved of the measure taken by me of having deposed the Vizier, in consequence of his recent conduct, which was inconsistent with the stipulations of the Treaty, and that in consideration of the two following grounds, *viz.* :—

1st. My tender age, being a minor, the difficulties of my position, and my being a descendant of the late Maharajah Runjeet Sing, the faithful ally of the British Government;

2ndly. On account of the exertions of my army, under Sirdar Tej Sing and Sirdar Shere Sing, in quelling the disturbances at Cashmere, which service was undertaken for the purpose of maintaining the stipulations of the Treaty; and further, in consideration that no other officers of the Lahore Durbar appeared to be implicated in the crimes of the Vizier; in consideration of these grounds, the British Government has acquitted this State; but that the Governor-General now deems it proper that the Vizier should be banished from my dominions, and that, therefore, it is necessary that I should immediately dispatch him with his family to Ferozepore.

With reference to these statements, I beg to state that I cannot adequately return my grateful thanks for the kind feelings which the British Government has evinced towards me, in thus considering my tender age, and the ancient relations of friendship which have subsisted between the British Government and the late Maharajah Runjeet Sing.

The strict adherence of the British Authorities to their pledged words convinces me that these kind feelings of the British Government towards me will daily increase, and that the ties of friendship and amity existing between the two Governments, according to the Treaties, will gain strength day by day, through the interposition of Colonel Lawrence, the Agent to the Governor-General.

The approbation of the British Government of the services performed by the troops of this Government employed in the Cashmere campaign, under the Commander-in-chief, Sirdar Tej Sing, and Sirdar Shere Sing, has afforded unbounded gratification to me, and the above-named Sirdars, and the army in general. I am thankful for the good offices of the Governor-General's Agent (who is appointed to increase the relations of friendship subsisting between the two Governments), in having settled the affairs of Cashmere in so satisfactory a manner. You have stated that the British Government has acquitted this State of the crimes of the Vizier, as none of its other officers appear to have been

implicated in his crime, and that the British Government considered his deposition by me as a sufficient atonement, and have also considered it necessary that I should remove the deposed Vizier from my territories, and dispatch him with his family to Ferozepore. Sir, you are well aware that I have deposed the Vizier, and given peremptory orders to him to take his departure for Ferozepore without loss of time; that preparations necessary for his departure have been made, and that carriage, &c., have been supplied by this Government, for the conveyance of his baggage. These circumstances need not, therefore, be recapitulated. He has this day, the 1st of Poos, 1903, taken his departure for his destination.

In reply to your statement, that on the arrival of the deposed Vizier with the Assistant Agent, a place for his residence will be selected in the British territories, with due regard to his dignity and comfort, according to the instructions of the Governor-General, I beg to say that this proposal has originated in the kind feeling of the British Government towards him, and redounds to the fame of that Government.

You have stated that the feelings of friendship entertained by the Governor-General towards me have remained unimpaired, and that it is His Lordship's desire to promote by every means in his power the stability of my Government and the prosperity of the people; that the satisfactory proposals and the beneficial suggestions, as well as the exertions of the Governor-General's Agent, (to whom the affairs of my Government are entrusted,) in the troublesome times in the State for these last eight months, are well known facts; that these proceedings of the Agent prove the sincerity of the desire of the Governor-General for the stability of this State, as expressed by his Lordship at the time of his making over the Treaty to me at Lahore. Sir, I have full confidence in the kindness of the British Government, in the continuance of the favours of the Governor-General, and the attention of the Governor-General's Agent. I am much gratified and thankful for the kindness which the Governor-General's Agent has evinced for these eight months, (since the conclusion of the Treaty in the presence of the Governor-General,) in protecting lives and settling the affairs of the State to my satisfaction. I return my grateful thanks for the kindness of the Governor-General, and the exertions of the Agent in settling the affairs of Kangra, Cashmere, and Mooltan, and in causing the arrears of the pay of the troops to be discharged. The good counsels of the Governor-General are impressed on my mind, and I know it is incumbent on me always to remain faithful to the stipulations of the Treaty.

You have stated that myself, the officers, and the dependent Sirdars of the State should effect an arrangement for the administration of this Government, in such a manner that it may not prove prejudicial to the interests of the State, and you have also stated that it is the earnest desire of the Governor-General, that I should enjoy independent possession of the State; but that the British Government will, in future, afford no military aid to the Lahore State, in consideration of the events which have occurred during the last six months, more especially on account of the perfidious and disloyal conduct of the Vizier, and that the British force will, consequently, be withdrawn after the expiration of the specified term; and that myself and my officers and Sirdars should, therefore, establish a strong Government, either by appointing an able Vizier, or by making some other arrangement; and that the British Government will not interfere in these matters, but that the Governor-General will not fail to give his good counsels for the stability of my State, consistently with the stipulations of the Treaty, that I should explain to all my Officers and Sirdars that the Governor-General is desirous of maintaining the relations of friendship and amity subsisting between the British Government and the independent Chiefs, and that whenever the misrule of the Government of any of those Chiefs disturbs the peace of the British frontier, this Government will be held responsible for it; that you, therefore, previously advise me, in consideration of the friendship between the two Governments, to effect a satisfactory arrangement for the administration of my State; for, if in consequence of the recurrence of misrule in my Government, the peace of the British frontier be disturbed, I should be held responsible for the same; and that you have written all these instructions in a friendly style, without any reserve; that if I act up to them it will prove beneficial to my State.

Sir, I feel most thankful on the perusal of your kind letter, more especially

on learning that you have written to me, without reserve, these instructions in a friendly style for the welfare and stability of this State.

By God's blessing the British Government is always faithful to its engagements, which fact is impressed on my mind.

Yesterday, the 29th Mugsir, 1903, I explained to all the Sirdars and dependants of this State, regarding the arrangements for the administration of my Government, that I cannot adequately return my grateful thanks for the kindness which the Governor-General, in consideration of the ties of friendship which subsisted between the British Government and the late Maharajah Runjeet Sing, evinced towards me in appointing Colonel Lawrence his Agent, and in permitting him to remain with a British force, for the protection and administration of my State.

As the Governor-General is desirous of maintaining this State, it is not proper that the whole of the British force stationed here should be put to further inconvenience and annoyance. Nevertheless with regard to the necessity for establishing the Government of the country, and the fact of the time for the withdrawal of the troops having arrived, it is hoped, that the Agent, with two battalions, and one regiment of cavalry, and one battery, may be allowed to continue for some months, during which, what still remains to be done to complete the organization of the Government in an efficient manner may be effected; and there can be no doubt that Colonel Lawrence will, according to the provisions of the Treaty, give every aid and assistance in establishing the Government.

Inclosure 6 in No. 9

F. Currie, Esq., to Maharajah Duleep Sing.

December 14, 1846.

THE request of Your Highness, that a portion of the British force now at Lahore, and the Agent of the Governor-General, should remain after the expiration of the stipulated time, which measure Your Highness states to be necessary for the establishment of the government of the country, involves a departure from the provisions of the Articles of Agreement executed on the 11th of March last, and is a very important matter.

It seems to me desirable that the Chiefs of the Durbar, with the Sirdars interested in the welfare of the Lahore State, should assemble at my Durbar tent, to-morrow, when I will lay before them distinctly the only conditions on which the Governor-General will consent to a modification of the Articles of Agreement above referred to, and it will be well that these Chiefs and Sirdars should be prepared to give a conclusive acquiescence or rejection of the said conditions, in order that the affair may be concluded, and the necessary orders given regarding the movement of the British force.

Inclosure 7 in No. 9.

Note of Conference with the Chiefs and Sirdars of the Lahore State, at a Meeting held in Durbar at Lahore, on the 15th of December, 1846.

THE following paper was read aloud to the assembled chiefs in Persian, clause by clause, and was then read in Hindoostanee; after which the Persian copy was placed in their hands, that they might, before any discussion took place, make themselves fully acquainted with its contents:

"As in the khurecta received by me yesterday, from His Highness Maharajah Duleep Sing, a distinct request is made for the continuance of a British force and a British Agent at Lahore, after the expiration of the time stipulated in the Articles of Agreement, dated 11th of March last, which is stated to be a measure absolutely necessary, it is incumbent on me to lay before the Chiefs of the Durbar, and the Sirdars, whose interests are bound up in the well-being of the State, the only terms on which the Governor-General will consent to a modification of the arrangements and engagements made in March last.

" It cannot be necessary, in this place, to advert to the sincere desire of the Governor-General to abide strictly by all the engagements and provisions of the Treaty of the 9th of March, and to the Articles of Agreement of the 11th of March last; his Lordship has, over and over again, declared that he desires anxiously to see an independent Government established at Lahore, and to abstain from all interference with that Government, and to remove, at the close of this month, the British troops from the Lahore territories. At the same time, his Lordship will not refuse his aid in the maintenance of the Reasut of the young Maharajah, if this aid is sincerely desired by the Chiefs, and if they are willing to accept it, on the only terms on which the Governor-General would be warranted in granting it.

" If the Chiefs are not willing to accept the aid on the terms proposed, which will have no other object than that of the welfare of the young Maharajah's interests and the prosperity of the country during his minority, they are free to reject it, and the Governor-General will most gladly withdraw from any interference with the affairs of the Lahore State, in accordance with the terms of the Treaty.

" The Governor-General cannot consent to give the aid of British soldiers and a British Agent, to maintain an administration, over the acts of which the British Government may have no control. This has been clearly stated in my khureeta dated the 9th of December.

" If solicited to aid in the administration of the Government, during the minority of the Maharajah, the British Agent must have full authority to interfere in, and to control all matters, in every department of the State, for the benefit of all connected with the Reasut.

" In such case every attention would be paid to the feelings of the Sikh people, to preserving the national institutions and customs, and to maintaining the just rights of all classes. No changes in the details of administration would be made, not necessary for obtaining these objects, and these details would be conducted by Native officers, as at present, who would be appointed and superintended by a Council of Regency, composed of the leading Chiefs and Sirdars, acting under the control and guidance of the British officers.

" The administration of the country would be conducted by this Council of Regency in the manner determined on by themselves in consultation with the British officer, who would have full authority to interfere in, and to direct the duties of every department.

" The members of this Council of Regency, once chosen, would not be liable to be displaced or changed without the concurrence of the Governor-General in Council.

" A British force would remain at Lahore for the protection of the city and country, in such position as the Governor-General should think best adapted for the security of the force, and, at the same time, for the convenience of the inhabitants of the town.

" A fixed sum in monthly instalments must be set apart from the revenues of the country for the maintenance of this force.

" The Governor-General must be at liberty to occupy any military post or fort with British soldiers which his Lordship may deem necessary for the security of the capital, or for maintaining the peace of the country.

" The provisions of the Treaty of Lahore, dated 9th of March, would remain in full force, except as affected, temporarily, by this arrangement, which would have effect only during the minority of the Maharajah Duleep Sing, or such shorter period as should be determined on by the British Government, with the concurrence of the Council of Regency.

" On the coming of age of the Maharajah, or at any period prior to that event, when the Governor-General should be satisfied that the interposition of British agency is no longer necessary for the maintenance of the Government, this arrangement would cease. The British troops and officers would withdraw, and the Treaty of Lahore of the 9th of March, would be in full force and operation.

" If these principles are agreed to by the Chiefs, minor details may be determined on, and Articles of Agreement, to supersede those of the 11th of March, may be executed."

After the above paper had been read and considered, there appeared, from the remarks made, a prevalent desire to express immediate concurrence; but it

was suggested by Dewan Deena Nath, on the part of the members of the former Durbar, that, though there was every willingness and desire among all, that the State should avail itself of the interposition of the British Government, on the terms stated, it was necessary, in the first instance, that the exact amount that they would be called upon to pay for the expenses of the army should be made known, as upon that amount would depend their ability to avail themselves of the Governor-General's kindness.

They were told, that the expenses of the force now at Lahore exceed 30 lacs of rupees per annum, and that the Governor-General would not consider it expedient, at present, to employ a smaller force at that capital; but that, in consideration of the state of the Lahore treasury and revenues, His Lordship would be content that the Lahore State should pay 24 lacs, which would be the amount fixed for yearly payment, during the period of British aid in the administration.

The Chiefs requested leave to consult apart upon the subject, as the sum required bore so large a proportion to the whole revenue of the State.

After consulting nearly an hour, the Chiefs returned, and said that all other conditions were gratefully acceded to, and that they were willing to pay such sum as the State could afford; but this also they must agree to, if it was demanded; but they hoped that 20 lacs would be considered a sufficient sum. After further discussion, the sum of 22 lacs was agreed upon, and the Chiefs whose names are stated in the commencement of this paper, then desired to record every one his individual hearty acquiescence in all the proposals, and their united gratitude to the Governor-General, for thus extending his protection to the Maharajah, and granting the aid of the British Government, to maintain an efficient administration during His Highness' minority.

The meeting then broke up, and adjourned to the following day, when it was settled that a meeting should take place to draw up and execute Articles of Agreement.

No. 10.

The Governor-General to the Secret Committee.

(Extract)

*Camp, left Bank of the Beas,
December 22, 1846. (No. 61.)*

IN pursuance of the course which I observed at Lahore, when the Treaty of Peace was signed last March, I propose to publish for general information in the "Calcutta Gazette," a notification which will contain the Articles of Agreement signed at Lahore on the 16th of December.

Inclosure in No. 10.

The Right Honourable the Governor-General of India is pleased to direct the publication of the following Notification.

*Camp, Bhyrowal Ghat, on the left Bank of the Beas,
December 22, 1846.*

THE late Governor of Cashmere on the part of the Lahore State, Sheik Inamooddeen, having resisted by force of arms the occupation of the Province of Cashmere by Maharajah Golab Sing, the Lahore Government was called upon to coerce their subject, and to make over the province to the representative of the British Government, in fulfilment of the conditions of the Treaty of Lahore, dated 9th of March, 1846.

A British force was employed to support and aid, if necessary, the combined forces of the Lahore State, and Maharajah Golab Sing, in the above operations.

Sheik Inamooddeen intimated to the British Government that he was acting under orders received from the Lahore Durbar in the course he was pursuing, and stated that the insurrection had been instigated by written instructions received by him from the Vizier, Rajah Lal Sing.

Sheik Inamooddeen surrendered to the British Agent on a guarantee from

that officer that if the Sheik could, as he asserted, prove that his acts were in accordance with his instructions, and that the opposition was instigated by the Lahore Minister, the Durbar should not be permitted to inflict upon him, either in his person, or his property, any penalty on account of his conduct on this occasion. The British Agent pledged his Government to a full and impartial investigation of the matter.

A public inquiry was instituted into the facts adduced by Sheik Imamooddeen, and it was fully established that Rajah Lal Sing did secretly instigate the Sheik to oppose the occupation by Maharajah Golab Sing of the Province of Cashmere.

The Governor-General immediately demanded that the Ministers and Chiefs of the Lahore State should depose, and exile to the British Provinces, the Vizier Rajah Lal Sing.

His Lordship consented to accept the deposition of Rajah Lal Sing as an atonement for the attempt to infringe the Treaty by the secret intrigues and machinations of the Vizier. It was not proved that the other members of the Durbar had cognizance of the Vizier's proceedings, and the conduct of the Sirdars and the Sikh army in the late operations for quelling the Cashmere insurrection, and removing the obstacles to the fulfilment of the Treaty, proved that the criminality of the Vizier was not participated in by the Sikh nation.

The Ministers and Chiefs unanimously decreed, and carried into immediate effect, the deposition of the Vizier.

After a few days' deliberation, relative to the means of forming a Government at Lahore, the remaining members of the Durbar, in concert with all the Sirdars and Chiefs of the State, solicited the interference and aid of the British Government, for the maintenance of an Administration, and the protection of the Maharajah Duleep Sing during the minority of His Highness.

This solicitation by the Durbar and Chiefs has led to the temporary modification of the relations between the British Government and that of Lahore, established by the Treaty of the 9th of March of the present year.

The terms and conditions of this modification are set forth in the following Articles of Agreement:—

Articles of Agreement concluded between the British Government and the Lahore Durbar, on the 16th December, 1846.

Whereas the Lahore Durbar and the principal Chiefs and Sirdars of the State, have, in express terms, communicated to the British Government, their anxious desire that the Governor-General should give his aid and assistance to maintain the administration of the Lahore State during the minority of the Maharajah Duleep Sing, and have declared this measure to be indispensable for the maintenance of the Government: and whereas the Governor-General has, under certain conditions, consented to give the aid and assistance solicited the following Articles of Agreement, in modification of the Articles of Agreement executed at Lahore on the 11th of March last, have been concluded on the part of the British Government, by Frederick Currie, Esquire, Secretary to the Government of India, and Lieutenant Colonel Henry Montgomery Lawrence, C.B., Agent to the Governor-General, North-West Frontier, by virtue of full powers to that effect vested in them by the Right Honourable Viscount Hardinge, G.C.B., Governor-General; and, on the part of His Highness Maharajah Duleep Sing, by Sirdar Tej Sing, Sirdar Shere Sing, Dewan Deena Nath, Fakcer Noorooddeen, Rae Kishen Chund, Sirdar Runjore Sing Majeethia, Sirdar Utter Sing Kaleewala, Bhaee Nidham Sing, Sirdar Khan Sing Majeethia, Sirdar Shumshere Sing, Sirdar Lal Sing Morarcea, Sirdar Kher Sing Sindhanwala, Sirdar Urjun Sing Rungrungaleah, acting with the unanimous consent and concurrence of the Chiefs and Sirdars of the State assembled at Lahore.

ARTICLE I.

All and every part of the Treaty of Peace between the British Government and the State of Lahore, bearing date the 9th, day of March, 1846, except in so far as it may be temporarily modified in respect to Clause 15 of

the said Treaty, by this Engagement, shall remain binding upon the two Governments.

ARTICLE II.

A British officer, with an efficient establishment of Assistants, shall be appointed by the Governor-General to remain at Lahore, which Officer shall have full authority to direct and control all matters in every department of the State.

ARTICLE III.

Every attention shall be paid, in conducting the administration, to the feelings of the people, to preserving the national institutions and customs, and to maintaining the just rights of all classes.

ARTICLE IV.

Changes in the mode and details of administration shall not be made except when found necessary for effecting the objects set forth in the foregoing Clause, and for securing the just dues of the Lahore Government. These details shall be conducted by native officers as at present, who shall be appointed and superintended by a Council of Regency, composed of leading Chiefs and Sirdars acting under the control and guidance of the British Resident.

ARTICLE V.

The following persons shall, in the first instance, constitute the Council of Regency, viz., Sirdar Tej Sing, Sirdar Shere Sing Attareewala, Dewan Deena Nath, Fakeer Noorooddeen, Sirdar Runjore Sing Majeethia, Bhaee Nidham Sing, Sirdar Uttur Sing Kaleewala, Sirdar Shumsher Sing Sindhanwala, and no change shall be made in the persons thus nominated, without the consent of the British Resident, acting under the orders of the Governor-General.

ARTICLE VI.

The administration of the country shall be conducted by this Council of Regency, in such manner as may be determined on by themselves, in consultation with the British Resident, who shall have full authority to direct and control the duties of every department.

ARTICLE VII.

A British force, of such strength and numbers, and in such positions as the Governor-General may think fit, shall remain at Lahore, for the protection of the Maharajah and the preservation of the peace of the country.

ARTICLE VIII.

The Governor-General shall be at liberty to occupy with British soldiers any fort or military post in the Lahore territories, the occupation of which may be deemed necessary by the British Government for the security of the capital, or for maintaining the peace of the country,

ARTICLE IX:

The Lahore State shall pay to the British Government 22 lacs of new Nanuk Shae rupees, of full tale and weight, per annum, for the maintenance

of this force, and to meet the expenses incurred by the British Government; such sum to be paid by two instalments, or 13 lacs and 20,000 in May or June, and 8 lacs and 80,000 in November or December, of each year.

ARTICLE X.

Inasmuch as it is fitting that Her Highness the Maharanee, the mother of Maharajah Duleep Sing, should have a proper provision made for the maintenance of herself and dependants, the sum of 1 lac and 50,000 rupees shall be set apart annually for that purpose, and shall be at Her Highness' disposal.

ARTICLE XI.

The provisions of this engagement shall have effect during the minority of His Highness Maharajah Duleep Sing, and shall cease and terminate on His Highness attaining the full age of sixteen years, or on the 4th of September of the year 1854; but it shall be competent to the Governor-General to cause the arrangement to cease, at any period prior to the coming of age of His Highness, at which the Governor-General and the Lahore Durbar may be satisfied that the interposition of the British Government is no longer necessary for maintaining the government of His Highness the Maharajah.

This Agreement, consisting of Eleven Articles, was settled and executed at Lahore by the Officers and Chiefs and Sirdars above named, on the 16th day of December, 1846.

F. CURRIE.
H. M. LAWRENCE.

TEJ SING.	BHAAE NIDHAM SING
SHERE SING.	SIRDAR KHAN SING.
DEWAN DEENA NATH.	SHUMSHERE SING.
FAKEER NOOROODDEEN.	LAL SING MORAREEA
RAE KISHEN CHUND.	KHER SING
RUNJORE SING.	URJUN SING.
UTTER SING.	

No. 11.

The Governor-General to the Secret Committee.

Camp, Lahore,
January 2, 1847. (No. 1.)

(Extract.)

ON the 26th ultimo, Maharajah Duleep Sing, attended by a large number of Chiefs and Sirdars, paid me a state visit, at my camp at Bhyrowal, where the Articles of Agreement were ratified by the Maharajah and myself, with the usual ceremonies.

At this meeting, his Excellency the Commander-in-chief and the Staff were present, having been invited by me to Bhyrowal for the purpose.

Inclosure No. 6 of this dispatch is the copy of an official note describing these proceedings.

I arrived this morning at this place, for the purpose of returning the Maharajah's visit at His Highness' capital, and that I might be able to arrange with the General commanding, and the Engineer Officers, the best positions for the force which is to remain in occupation of Lahore.

The country is perfectly quiet, and the people of all classes appear satisfied and happy at the late arrangements.

Inclosure in No. 11.

Note of the Proceedings of a Durbar held at the Governor-General's Camp at Bhyrowal Ghat, on the left bank of the Beas, December 26, 1846.

AT 11 A.M. of the 26th of December, a public Durbar was held in the State Tent of the Right Honourable the Governor-General, at which his Excellency the Right Honourable the Commander-in-chief and Staff, with the British and Native officers attached to their Lordships' camps, attended.

Maharajah Duleep Sing, attended by Sirdar Tej Sing, the Commander-in-chief of the Lahore army, and the undermentioned Sirdars and Chiefs, with their suites, being present—

Sirdar Shere Sing Attareewala,	Buckshee Imric Rae,
Dewan Deena Nath,	Jowahir Mull,
Sirdar Uttur Sing,	Lala Bhag Sing,
Bhaee Nidham Sing,	Lala Surmput,
Fakeer Noorooddeen,	Luchmen Chund,
Runjore Sing Majeethia,	Bhaee Ameer Buksh,
Shumshere Sing Sindhanwala,	Fakeer Zoohoonooddeen,
Sirdar Khan Sing Majeethia,	Fakeer Fazooddeen,
Sirdar Khan Sing, son of Sham Sing,	Pundit Radha Kishen,
Sirdar Kehr Sing,	Dewan Hakim Rae,
Sirdar Pertaub Sing,	Misir Sahit Dyal,
Sirdar Jowahir Sing,	Sirdar Futteh Khan Jowanna,
Sirdar Kurrum Sing,	Sheik Imamooddeen,
Sirdar Kerpal Sing,	Bhaee Dormun Sing,
Sirdar Urjun Sing,	Sirdar Goordut Sing,
Sirdar Soorut Sing Majeethia,	General Golab Sing,
Sirdar Jowala Sing Maun,	General Courtlandt,
Sirdar Khaja Mahomed Khan, son of	Colonel Pal Sing,
Peer Mahomed Khan,	Colonel Maun Sing,
Misir Meg Raj Jumal Rae,	Colonel Ruttun Sing,
Lala Ruttun Chund,	Bhaee Issem Sing,
Lala Kaul Chund,	Colonel Mut Sing,
Moonshee Seeut Chund,	Sirdar Lal Sing Morareea,
Lalla Ram Chund,	Sirdar Runjore Sing Sindhanwala,
Lala Daveedyal,	Rae Kishen Chund, &c.

The Articles of Agreement, dated the 16th of December, were ratified and exchanged with the usual ceremonies. After which the Governor-General addressed the Chiefs assembled in the following terms, the address being translated, sentence by sentence, by the Secretary to the Government of India, Mr. F. Currie:

“The sentiments which I expressed on the occasion of ratifying the Treaty of Peace last March at Lahore, have undergone no change. The British Government desires that peace and friendship may subsist between the two States.

“The notification which I have caused to be published of the recent transactions at Lahore contains a statement of the circumstances which have led to the modification of the Treaty. The Articles of Agreement have been inserted in that document. The Sirdars and Chiefs, in coming to this decision, have exercised their own judgment, influenced, no doubt, by the conviction that the interests of the Maharajah and the welfare of the people can best be secured by cultivating the friendship of the British Government.

“Acting on the same principle, of maintaining the Lahore Treaty, and of strengthening the bonds of amity and peace, I have undertaken, on the part of the British Government, to carry the terms of the Agreement into effect. No permanent alteration has been made in the Treaty of Lahore; every Article remains in full force, with the exception of the temporary suspension of Article XV during the minority of the Maharajah.

“The interposition of British influence will be exercised for the advantage of the people, and the success of this interposition will be assisted by the confidence

and cordiality with which the Sirdars will co-operate with the British Resident.

“That Officer, Lieutenant-Colonel Lawrence, is well known to the Chiefs, by his energy, talents, and integrity; by these qualities he has conciliated their good-will and respect.

“The Agreement ratified this day, as well as the recent events at Lahore, will, I trust, impress upon every State in India the conviction that, whilst the British Government will, by just means, firmly consolidate its Eastern Empire, it will omit no efforts to improve the condition, and promote the prosperity, of all classes of the people.

“I also trust, that when His Highness shall have arrived at the age prescribed by law for assuming the government of the country, he will establish his rule on the firm basis of making his people happy, by his equity and justice.

“In the interval, the British Government will feel a cordial solicitude in all that regards His Highness’ personal welfare.”

After a short conversation on other subjects, the Maharajah, attended by his Chiefs, took leave of the Governor-General, and returned to his camp on the right bank of the river.

SCINDE.

RETURN to an ORDER of the Honourable The House of Commons,
dated 11 February 1847;—for,

COPIES “ of all Further PAPERS respecting *Scinde*, that have been communi-
cated to the Court of Directors.—(*In continuation of former Papers.*)”

East India House, }
19 March 1847. }

JAMES C. MELVILL.

Note.—This is not a perfect Return. It comprises only the Financial portion of the Papers required. The Papers relating to the Revenue, Judicial, and Military Affairs of Scinde will be presented as early as practicable.

(*Mr. Hume*)

Ordered, by The House of Commons, to be Printed,
16 March 1847.

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COPIES of all Further PAPERS respecting *Scinde*, that have been communicated to the Court of Directors.

FINANCIAL DEPARTMENT.

No. 36 of 1846.

TO the Honourable the Court of Directors of the East India Company.

Honourable Sirs,

WE have the honour to acknowledge the receipt of your Honourable Court's despatch, No. 12 of 1846, dated 24 June, relative to the delay that has occurred in the transmission to England of the Bengal General Books, and on the subject of the Revenues and Charges of the Province of Scinde, and to state, that on receipt of information which that despatch has rendered it necessary for us to call for from Scinde and from Bombay, we shall lose no time in replying to it more fully than is at present in our power.

2. On one point only alluded to in the despatch are we yet in possession of full information, viz. the particulars called for in the 8th para., of Rs. 5,80,899. 7. 4. credited in the accounts of 1844-45*, as "Miscellaneous Revenues" of the collectorate of Kurrachee. This sum, which the late accountant-general of Bengal in his return † to this department explained that he had exhibited under that head for want of details in the accounts of the local officer, your Honourable Court will observe, from the accompanying Memorandum submitted to us by the present accountant, is made up principally of collections of land revenue and of customs and taxes.

3. We await the replies to our other requisitions; but as it is not unlikely that some further delay may occur in the receipt thereof, we think it advisable, with reference to the 9th paragraph of the despatch, to forward by the present mail a copy of certain returns with which we have been furnished from Scinde, not in reply to our call made in consequence of your Honourable Court's despatch under acknowledgment, but in compliance with our instructions to the government of Scinde, issued some time after the conquest of that province, to supply us annually with estimates of its financial position.

4. The returns now submitted are estimates of the receipts and disbursements in Scinde during the current official year, and as such, are confined to money receipts and payments, and do not include what your Honourable Court likewise require to know, the probable receipts of revenue in kind.

5. As in these documents items of income and charge have not always been kept sufficiently distinct from items of supply, we have added to them,—

1st. An abstract of the estimated revenues and charges of the province during 1846-47, as per statements from Scinde :

2d. An abstract of the like estimated results as shown in the sketch estimate of the accountant to the government of Bengal.

6. In submitting these estimates, we beg to explain that only the revenues, and the civil portion of the charges of the province exhibited therein, can be relied upon as approximations to the reality. The revenues may be reckoned at about 30 lacs, and the civil charges, ordinary and extraordinary, including marine, at about 31 lacs.

7. The military portion of the estimate appears to require revision; but on this subject we shall address your Honourable Court hereafter, on the receipt of further information.

We have, &c.
(signed) T. H. Maddock.
F. Millett.
G. Pollock.

Fort William, }
4 December 1846. }

(A true Copy.)

J. Joice,
Secy to the Gov^t of India.

* Accounts forwarded with our despatch in the Home Department, dated 20 Dec. 1845, No 31
† Statement of receipts and charges of the Civil Department of the province of Scinde, in the year 1844-45, bearing date the 15th December 1845.

FURTHER PAPERS RESPECTING SCINDE,

STATEMENT of the Details of Rs. 5,80,899. 7. 4. exhibited as MISCELLANEOUS REVENUES of the Kurrachee Collectorate, in the Statement of the RECEIPTS and CHARGES of the Province of Scinde, in 1844/45.

	Rs.	a.	p.	Rs.	a.	p.
Ordinary:						
Land Revenues	4,85,016	14	-			
Customs and Taxes	88,814	2	-			
Town Duties	623	7	3			
Garden Rents	3,008	4	6			
Fishery	3,828	11	8			
Liquor and Drug Contract	1,759	-	6			
Buttermilk Contract	1,140	3	-			
Cochmeal Contract	1,318	11	-			
Weavers' Contract	154	15	6			
Tannery	34	11	-			
Goldsmith's Contract	32	2	-			
Turner's Contract	14	-	-			
Brokerage Fees	634	-	7			
Fees and Fines	1,036	12	-			
Miscellaneous Receipts	5,119	12	9			
				5,92,531	11	9
Extraordinary:						
Sale of Confiscated and Unclaimed Property	1,077	3	6			
Received from Jageerdars, for Expenses incurred by Government on account of their Jageers	47	14	-			
				1,125	1	6
Sale of the Property of the Ex Ameers of Scinde				1,257	11	-
Total Rupees of Sorts				5,94,914	8	3
Deduct difference of Exchange between the various Currencies and Company's Rupees				14,015	-	11
Total Company's Rupees				5,80,899	7	4

(E. E.)

Fort William,
Accountant's Office, 19 November 1846.

(signed) R. Walker,
Accountant to the Government of Bengal.

SKETCH ESTIMATE of PROBABLE RECEIPTS and PAYMENTS of the General Treasury in Scinde, during the Official Year 1846/47.

PROBABLE RECEIPTS ON account of INCOME.			
	Rs.	Rs.	Rs.
Land Revenue in Scinde:			
Hyderabad	8,25,000		
Kurrachee	3,20,000		
		11,27,000	
Sea Custom Duties		44,000	
			(*)
Post Office Collections:			
Kurrachee Post-office	10,603		
Hydrabad Post-office	647		
		11,150	
Miscellaneous:			
Produce of Sale of Prize Property (uncertain)		9,700	11,82,150, 9,700
Extraordinary Charges:			
Refund		5,000	5,000
Debts incurred:			
Deposit expected to be received on account of 4 per cent. Government Loan (uncertain)		6,000	6,000
On account of Supplies to be received by Bills:			
Bengal		1,37,000	
Agra		10,50,000	
Scinde		4,50,000	
Bombay		11,60,000	(*)
Madras		11,000	
			28,08,000
To be received from Bombay, in Cash			43,99,840 (*)
Cash Balance at the opening of the Year 1846/47			9,89,105
Total Company's Rupees			93,99,795

(*) Supplies.

PROBABLE PAYMENTS ON ACCOUNT OF CHARGES OF ADMINISTRATION.

Ordinary:		Rs	Rs.	
Salary of His Excellency the Governor of Scinde	- - - -	56,000		
Salary of Office Establishment of ditto	- - - -	7,200		
Salary of Scinde Secretariat	- - - -	42,709		
Salary to the General Treasurer and his Establishment	- - - -	11,908		
Salary of Resident Khyrpoor, and of his Office Establishment	- - - -	11,983		
Salary of the Civil Medical Establishment	- - - -	5,680		
Salary to the Police Corps in Scinde	- - - -	4,28,810		
Salary of Civil Judge Advocate-General, and of his Establishment	- - - -	16,771		
Salary of the Postmaster-general in Scinde	- - - -	2,400		
Salary of Lieutenant Byng, A. D. C.	- - - -	5,270		
Salary of the Ecclesiastical Establishment	- - - -	29,464		
Salary of the Postmaster, Oomerkote	- - - -	800		
Salary of the two Deputy Civil Judge Advocate-Generals, and their Establishment	- - - -	11,212		
			6,21,715	
Contingent Charges				
Extraordinary				
Construction of Public Works	- - - -	(^a) 3,68,920		
To be paid on account of Troops in Scinde	- - - -	(^b) 60,00,000		
Head-money	- - - -	5,000		
Pension	- - - -	54,180		
Rent of Tanda	- - - -	2,400		
To be paid on account of the Naval Station, Manorah		- - - -	64,30,500 () 18,000	
Debts Paid				
Interest on account of 4 per Cent. Loan		- - - -	200	
Loans by Government				
Advances to be made to Local Corps and Departments		- - - -	(^c) 7,00,000	
		Cash Remittances	Bills of Exchange to be Discharged	TOTAL
Bombay:				
Military Treasurer, Sukkur	- - - -	(^b) 5,00,000	(^b) 60,000	5,60,000
Calcutta	- - - -	- - - -	250	250
Agra	- - - -	- - - -	9,18,000	9,18,000
Cancelled Bills	- - - -	- - - -	1,34,000	1,34,000
Paymaster, Scinde and B.	- - - -	- - - -	(^b) 11,300	11,300
Post-office Remittances	- - - -	- - - -	5,830	5,830
				16,29,380
Total Company's Rupees				93,99,795

(^a) Detailed Expenditure shown in Estimate from Superintending Engineer.

(^b) Supplies.

(^c) Advances.

(signed) H. Stanley,
Treasurer, Scinde.

SKETCH ESTIMATE OF RECEIPTS AND DISBURSEMENTS IN THE Hyderabad Collectorate, in the Province of Scinde, in the Official Year 1846/47.

RECEIPTS expected to be realized on account of INCOME.

Ordinary:	Rs.	Rs. a.
Land Revenue	12,00,000	
Town Duties	4,500	
Customs Duties	80,000	
Liquor and Drug Contracts	60,000	
Fishery Contract	20,000	
Garden Rent	15,000	
		13,79,500 -

FURTHER PAPERS RESPECTING SCINDE,

Receipts expected to be realized on account of Income—continued.			
	Rs.	Rs.	a.
Miscellaneous:			
Home and Bungalow Rent	1,200		
Sales by Auction	5,000		
Fines	8,000		
Other Items	40,000		
		54,200	-
Extraordinary:			
Anticipated refunds on Money advanced for Canal digging		80,000	-
		14,63,700	-
Balance:			
	Rs.	a.	
Cash in Treasury on 1st May 1846	15,090	15	
Hoondies	85,240	-	
Gram in stores at the price of the day	9,39,741	-	
			10,40,071 15
<i>N.B.—Gold dug up in the Fort Hyderabad, weighing Rs. 6,746. 12.</i>			
at Company's Rs. 18. 2. per rupees weight, and placed in deposit in this treasury	Rs.	a.	p.
	1,22,284	13	6
<i>516 Govindhee rupees dug up in the Fort Hyderabad, at Company's</i>			
Rs 96. 7 11. per 100 Govindhee rupees	492	1	11
Total Company's Rupees			25,08,771 15
DISBURSEMENTS expected to be made on account of CHARGES GENERAL.			
	Rs.	Rs.	a.
Ordinary			
Salaries	66,500		
Establishments (Revenue and Sudder)	1,15,000		
		1,81,500	-
Contingencies		30,000	-
Extraordinary:			
Canal digging, Bonds, &c.		2,00,000	-
		4,11,500	-
Balance estimated to remain at the close of the Year (1st May 1847)		20,92,271	15
Total Company's Rupees			25,03,771 15

Hyderabad, 1 May 1846.

(signed) A. B. Rathborne, Collector.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the Kurrachee Collectorate, in the Province of Scinde, in the Official Year 1846/47 (from 1st May 1846 to 30th April 1847).

RECEIPTS expected to be realized on account of INCOME.			
	Rs.	Rs.	Rs.
Ordinary			
Land Revenue	5,00,000		
Customs:			
Land Customs	7,000		
Fishery Contract	10,550		
Liquor and Drug Contract	21,960		
Ferry Contracts, &c. &c.	7,000		
Town Duties	2,000		
		5,48,510	
Miscellaneous:			
Forfeitures	3,000		
Fees and Fines	4,000		
Miscellaneous Charges, &c.	2,800		
		9,800	
On account of SUPPLIES:			
General Treasury, Scinde		10,000	
Cash Balance at the opening of the year (1st May 1846)			5,68,310
			40,242
Total Rupees			6,08,552

FURTHER PAPERS RESPECTING SCINDE,

PAYMENTS ON ACCOUNT OF CHARGES OF ADMINISTRATION.			
Ordinary :			
	Rs.	Rs.	Rs.
Salaries of Collectors, Deputy Collectors, and their Establishment	65,000		
Ditto of Commissioner of Belooch Captives at Jancedena	5,000		
Revenue Establishment	60,000		
Contingencies	30,000		
Medical Allowances	240		
Other Items	5,000		
		165,240	
Extraordinary :			
Refunds on account of a piece of ground included in a Government Sale	113		
Charges of clearing and cutting Canals	10,000		
		10,113	
			1,75,353
SUPPLIES expected to be made.			
To Military Chest at Sukkur			7,00,000
Cash Balance at the close of the year 1846/47			2,64,017
		Total Rupees	11,29,370

(E E)

Shikarpore W. S. Collector's Office,
1 May 1846.(signed) Philip Goldney, Captain,
Collector and Magistrate.

SKETCH ESTIMATE OF RECEIPTS AND PAYMENTS IN THE CUSTOMS DEPARTMENT AT KURRACHEE, IN THE PROVINCE OF SCINDE, IN THE OFFICIAL YEAR 1846/47 (ON THE 1ST MAY 1846 TO THE 30TH APRIL 1847).

RECEIPTS expected to be realized.			
Ordinary :			
	Rs.	Rs.	Rs.
Customs (Import and Export)	70,000		
Anchorage and Lighthouse Fees	7,000		
Register and other Fees	250		
Extraordinary			
Sale by public auction of unclaimed and confiscated Goods	300		
Scinde Fishery	2,200		
Pearl Fishery	801		
			80,551
		Rupees	80,551
PAYMENTS expected to be made.			
Ordinary :			
	Rs.	Rs.	Rs.
Pay of the Collector of Customs	9,600		
Pay of Establishment	7,300		
Stationery and Contingent Charges	480		
Pay for two Sepoys in Scinde Fishery	168		
			17,548
Cash Balance estimated to remain in hand on the 30th April 1847, in the Treasury, under the Collector of Sea Customs at Kurrachee, in the Province of Scinde			63,003
		Rupees	80,551

Kurrachee, Custom House,
1 July 1846.(signed) J. MacLeod,
Collector of Customs.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the Deputy Collectorate of the *Thur* and *Parhur*, in the Province of *Scinde*, in the Official Year 1846/47 (from the 1st of May 1846 to the 30th April 1847).

RECEIPTS expected to be realized on account of INCOME.		
Ordinary:		<i>Rs.</i>
Land Revenue - - - - -		5,770
Town Duties - - - - -		11,880
Miscellaneous:		
Fines and other Items - - - - -		800
SUPPLIES (expected to be received).		
Cash deficient and required to cover Charges for the year ending the 30th April 1847 - - - - -		18,806
	<i>Rupees</i> - - -	37,346

PAYMENTS expected to be made on account of CHARGES of ADMINISTRATION.

Ordinary:		<i>Rs.</i>
Salary - - - - -		396
Revenue Establishment - - - - -		4,020
Contingencies - - - - -		600
Extraordinary:		
Khosa Police Horse - - - - -		28,440
Fort Establishments of Meete, Nowakote, and Islamkote - - - - -		2,700
Allowances to be granted to the Chief of the Noroz and Raomah tribes - - - - -		675
Allowances to be granted to the Toda Chief of Deepla - - - - -		515
	<i>Rupees</i> - - -	37,346

Bhooj Agency, 25 June 1846.

(signed) *H. S. Roberts*, Lieut.-Col
Political Agent in Kutch.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS of the Post Offices in *Scinde*, for the Year 1846/47 (from 1st May 1846 to the 30th April 1847).

RECEIPTS expected to be realized on account of POSTAGE COLLECTIONS:

Ordinary:		<i>Rs.</i>	<i>Rs.</i>
Hyderabad Post-office, at 1,000 rupees per month - - - - -		12,000	
Kotree - - ditto at 50 rupees - - - - -		600	
Kurrachee - ditto at 1,500 rupees - - - - -		18,000	
Sukkur - - ditto at 1,000 rupees - - - - -		12,000	
Shikarpore - ditto at 350 rupees - - - - -		4,200	
			46,800
Total Estimated Receipts - - <i>Rupees</i>			46,800

Note.—The Dawk Establishment between Bhawalpore and Subzulcote (the monthly expense of which is 371 rupees) was transferred from the Ferozepore to Sukkur Post-office on 1st January 1846, and has become a new charge on *Scinde* since that date.

FURTHER PAPERS RESPECTING SCINDE,

PAYMENTS expected to made on account of OFFICE ESTABLISHMENTS and DAK RUNNERS.

	<i>Rs.</i>	<i>Rs.</i>
Ordinary Charges :		
Hyderabad Post Office :		
Office Establishments, at 186 rupees per month - - - - -	2,232	
Pay to Runners, &c. at 1,040 rupees per month - - - - -	12,480	
Contingent Charges, at 80 rupees per month - - - - -	360	
		15,072
Kotue Post Office		
Office establishment, at 46 rupees per mensem - - - - -	552	
		552
Kurrachee Post Office :		
Fixed Establishment, at 267 rupees per mensem - - - - -	3,204	
Dak Runners, at 329 rupees per mensem - - - - -	3,948	
Contingent Charges, at 30 rupees per mensem - - - - -	360	
Allowance to Gharra Postmaster, at 10 rupees per mensem - - - - -	120	
Ditto - - Tatta - ditto - at 10 rupees per mensem - - - - -	120	
		7,752
Sukkur Post Office		
Office Establishment, at 134 rupees per mensem - - - - -	1,608	
Dak Runners, &c. at 1,019 rupees per mensem - - - - -	12,228	
Contingent Charges, at 30 rupees per mensem - - - - -	360	
Allowance to Postmaster at Larkana, at 10 rupees per mensem - - - - -	120	
		14,316
Shikarpore Post Office :		
Office Establishment, at 93 rupees per mensem - - - - -	1,116	
Dak Runners, at 42 rupees per mensem - - - - -	504	
Contingent Charges, at 25 rupees per mensem - - - - -	300	
		1,920
Extraordinary Charges :		
Hydrabad Post Office :		
Extra Runners for Overland Mail and Ferry Boats during the inundation - - - - -	550	
Kurrachee Post Office :		
Extra Runners for Overland Mail - - - - -	600	
		1,150
Total Estimated Payments - - <i>Rs.</i>		40,762
Expected Surplus of Receipts over Payments - -		6,088
		46,800

(signed) *A. Gibbon*, Postmaster in Scinde.

SKETCH ESTIMATE of the probable RECEIPTS and EXPENDITURE in the *Sukkur* Military Treasury, for the Official Year 1846/47.

	<i>Rs.</i>	<i>Rs.</i>
RECEIPTS expected to be made on INCOME.		
Revenue, Sukkur Collectorate - - - - -	8,00,000 (*)	
Bazar Collection - - - - -	5,000 (b)	
Post Office Surplus - - - - -	500 (*)	
		8,05,500
SUPPLIES expected to be made.		
Cash for Family Remittances - - - - -	7,00,000 (*)	
Ditto for Supply Bills - - - - -	10,00,000 (b)	
		17,00,000
Cash Balance at the opening of the Year, 1st May 1846 - - - - -		8,75,000
		33,81,400

(*) Supplies.

(b) Ordinary.

COMMUNICATED TO COURT OF DIRECTORS.

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PAYMENTS expected to be made on CHARGES.		Rs.	Rs.
Salaries of Establishment	- - - - -	6,000 (*)	
Barrack and Canal Department ^(b)	- - - - -	1,00,000 (c)	
Boat Department	- - - - -	25,000 (c)	
			1,31,000
SUPPLIES expected to be ISSUED.			
To meet the Bills drawn on this Treasury	- - - - -		30,00,000 (c)
Cash Balance at the beginning of May 1847	- - - - -		2,50,400
Total Company's Rupees			33,81,400

(*) Ordinary.

(b) Detailed Expenditure shown in Estimate from Superintending Engineer

(c) Supplies

Sukkur Treasury, }
10 July 1846. }

(signed) E. Andrews, Captain,
Military Treasurer.

SKETCH ESTIMATE of the probable RECEIPTS and DISBURSEMENTS of the Sukkur Boat Department, for the Official Year 1846/47.

RECEIPTS expected to be made.		Rs. a. p.	Rs. a. p.
To balance of Cash in hand	- - - - -	1,700 11 10	
Receipt from Sukkur Military Chest	- - - - -	10,000 - -	
			11,700 11 10
Total Company's Rupees			11,700 11 10

DISBURSEMENTS expected to be made.		Rs.	Rs. a. p.
Pay to Establishment	- - - - -	doubtful	
Pay to Government's Boats	- - - - -	1,020	
			1,020 - -
Contingencies			
Disbursements expected to be made on account of hire for boats for			
Government purposes	- - - - -	10,000	
Contingent Charges of the Boat Department	- - - - -	150	
			10,150 - -
Balance expected to remain			11,170 - -
			530 11 10
Total Company's Rupees			11,700 11 10

Memorandum — In the event of a move northward 50,000 rupees is estimated in addition

Superintendent of Boats' Office, }
Sukkur, 11 July 1846 }

(E. L.)
(signed) W. Christopher, Sen. Lieut I N
Superintendent of Boats at Sukkur, in charge
Boat Department, Upper Indus.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the Marine Department, Indus Flotilla, in the Province of Scinde, in the Official Year 1846/47 (from 1 May 1846 to 30 April 1847).

RECEIPTS.

None.

PAYMENTS on account of CHARGES.		Rs.	Rs.
Ordinary:			
Flotilla Wages due for 1844/45	- - - - -	25,000	
Pay of Mootnee, 8 Steamers, 4 Iron Flats, Beacon Vessel, and 6 Bridge Boats	- - - - -	1,77,008	
			2,02,008
			(continues)

FURTHER PAPERS RESPECTING SCINDE,

Payments on account of Charges— <i>continued</i> .			
Ordinary— <i>continued</i> :		<i>Rs.</i>	<i>Rs. a. p.</i>
Fuel Department; Wood Fuel for the use of the Steamers on the River			
Indus - - - - -	10,000		
Fuel Departments; Agents and Jemadars to purchase Wood - - -	1,500		
Fuel Station and Supply Boats - - - - -	13,000		
		24,500	- -
Pilot Establishment - - - - -		4,000	- -
General Department; Hire of Carpenters, Sawyers, Writers, &c. - - -		1,944	- -
Contingent Expenses; Repairing Steamers, Boats, and other Expenses - - -		4,183	14 1
General Department; To Stores and Provisions, Pursers, Contingent Expenses -		15,000	- -
		<i>Rs.</i>	2,52,533 14 1

(signed) *F. T. Powell*, Commander I. N.
Commanding Indus Flotilla.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS, in the Boat Department, *Indus* Flotilla, in the Province of *Scinde*, in the Official Year 1846-47 (in May 1846 to 30 April 1847).

RECEIPTS expected to be realized on account of INCOME.			
Ordinary :		<i>Rs.</i>	<i>a. p.</i>
From the Hyderabad Treasury Chest for the Soldiers, and Current Expenses of the Department - - - - -		39,710	4 4
Extraordinary :			
Sums realized by the Sale of unserviceable Boats and their Equipments - - -		200	- -
By Cash Balance in hand 1st May 1846 - - - - -		2,809	11 8
	Total <i>Company's Rupees</i> - - -	42,720	- -

PAYMENTS expected to be made on account of CHARGES.			
Ordinary :		<i>Rs.</i>	<i>Rs.</i>
Salaries to Superintendent of Boats - - - - -	7,200		
Ditto Office Establishment - - - - -	3,000		
		10,200	
Pay of 4 Government Jumptees - - - - -	2,112		
Ditto 20 Government Boats - - - - -	10,776		
		12,888	
Ditto 3 Ferry Boats between Hyderabad and Kotree - - - - -	900		
Ditto 3 Ditto in Fullelee branch during the inundation - - - - -	400		
Ditto 2 Post Office Boats - - - - -	432		
		1,732	
		24,820	
Extraordinary :			
Hire of Boats for transport of Guns, Cattle, and Military Stores, Troops, &c. as required - - - - -			
Ditto ditto, for the use of Revenue and Commissariat Department - - - - -		15,000	
Ditto ditto, for the Department of Public Works, Conveyance of Timber, &c. - - - - -			
Contingent Hire of extra Crew allowed for Jumptees when sailing - - - - -	900		
Replacing Sails and Rope worn out, Repairs, &c.; - - - - -			
Contingent Hire of Artificers, &c. - - - - -	2,000		
		2,900	
	Total Boat Department, <i>Indus</i> Flotilla, <i>Company's Rupees</i> - - -	17,900	
	Grand Total, <i>Rupees</i> - - -	42,720	

N.B.—In the event of any army assembling to the northward, to provide for a Bridge of Boats, conveyance of Seize Trains, Commissariat and Ordnance Stores, and Miscellaneous Stores, per month, 10,000 rupees; for year - - - - - 1,20,000

(signed) *W. Balfour*, Lieutenant I. N.
Superintendent of Boats.

COMMUNICATED TO COURT OF DIRECTORS.

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SKETCH ESTIMATE of the probable PAYMENTS in the Departments of PUBLIC WORKS in the Province of Scinde, for the Official Year 1846/47 (from 1 May 1846 to 30 April 1847).

RECEIPTS expected to be Realized.

— None. —

PAYMENTS expected to be made on account of CHARGES MILITARY.

Ordinary :		Rs.	Rs.
Kurrachee :			
Annual Repairs	- - - - -	2,000	
Monthly Current Expenses	- - - - -	28,000	
Incidental Expenses	- - - - -	6,558	
			36,558
Hyderabad :			
Monthly Current Expenses	- - - - -		17,400
Kotree :			
Monthly Current Expenses	- - - - -		6,000
Sukkur :			
Annual Repairs	- - - - -	20,000	
Monthly Current Expenses	- - - - -	24,000	
Incidental Expenses	- - - - -	5,400	
			49,400
Extraordinary :			
Kurrachee, for New Buildings	- - - - -		6,13,412
Hyderabad ditto	- - - - -		1,55,000
Kotree ditto	- - - - -		30,551
Sukkur ditto	- - - - -		3,500
			9,11,851
Grand Total, Company's Rupees			9,11,851

Superintending Engineer's Office, }
Kurrachee, 30 July 1846.

(signed) A. C. Peat, Major,
Superintending Engineer in Scinde.

SKETCH ESTIMATE of the RECEIPTS and DISBURSEMENTS in the MILITARY PAY OFFICE, S. & B., in the Official Year 1846/47 (from 1 May 1846 to 30 April 1847).

RECEIPTS Realized.		Rs.	a.	p.
To Balance at the opening of the Official Year 1846/47	- - - - -	3,09,248	9	10
Ordinary :				
Hospital Stoppages	- - - - -	18,000		
Spirit Money	- - - - -	90,000		
Bazar Collections	- - - - -	80,000		
Military Fund	- - - - -	50,000		
Medical Fund	- - - - -	8,000		
Remittances	- - - - -	8,00,000		
		10,46,000	-	-
Extraordinary :				
Sale of Military Stores, &c.	- - - - -	4,000	-	-
Debts Incurred :				
Deposits Received	- - - - -	2,00,000	-	-
Advances made by Government, viz. :				
Receipts of Advances made	- - - - -	1,00,000	-	-
Supplies :				
From the Scinde General Treasury	- - - - -	54,00,000		
From the Sukkur Military Treasure Chest	- - - - -	12,00,000		
		66,00,000	-	-
		82,59,248	9	10
Total Rupees				

FURTHER PAPERS RESPECTING SCINDE,

PAYMENTS made on CHARGES MILITARY.

Ordinary :		Rs.	a	p.
Troops on the Bombay Establishment employed in Scinde :				
Three Queen's Regiments	- - - - -	12,20,000	-	-
Miscellaneous.				
Passage Money of Officers	- - - - -	8,000	-	-
EAST INDIA COMPANY'S TROOPS.				
		Rs.		
Horse Artillery Troop	- - - - -	86,000		
Foot Artillery, eight Companies	- - - - -	2,20,000		
Native Light Cavalry, one Regiment	- - - - -	24,000		
Sappers and Miners, one Regiment	- - - - -	76,000		
Irregular Horse, two Regiments	- - - - -	7,00,000		
Native Infantry, ten Regiments	- - - - -	14,15,000		
General and Station Staff	- - - - -	3,20,000		
Ordnance Department	- - - - -	72,000		
Pension Establishments	- - - - -	5,000		
Light Field Batteries (7)	- - - - -	1,50,000		
European Regiment (1)	- - - - -	2,50,000		
Lord Clive's Fund	- - - - -	500		
Honourable Company's Troops	- - - - -	20,000		
Off-Bookkeeping Fund	- - - - -	10,000		
		33,48,500	-	-
Miscellaneous :				
Bazaar Establishments	- - - - -	3,000		
Contingencies	- - - - -	10,000 ^(a)		
		13,000	-	-
Extraordinaries :				
Batta to Officers and Men	- - - - -	5,50,000		
Other Charges beyond fixed ones	- - - - -	40,000		
Donation Batta	- - - - -	5,000		
		5,95,000	-	-
Deductions Paid Off.				
Deposits Paid	- - - - -	1,35,000	-	-
LOANS and ADVANCES made by GOVERNMENT.				
Advances (emergent Receipts) ^(b)	- - - - -	1,40,000		
Ditto on account of Ordnance Department ^(b)	- - - - -	11,00,000		
Ditto ditto Indus Flotilla ^(c)	- - - - -	1,60,000		
		14,00,000	-	-
Supplies made :				
Bills of Exchange Discharged, and Remittances paid from Bombay Presidency	- - - - -	10,00,000	-	-
		69,19,500	-	-
To Balance	- - - - -	13,39,748	9	10
		82,59,248	9	10
Total Rupees				

(a) Other items (b) Supplies. (c) Vide remark at foot of General Estimate (E. E.)

Camp, Kurrachee, Pay Office, S. & B }
19 May 1846.

(signed) A. N. MacLean, Captain,
Paymaster, S. & B.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the Commissariat Department, Hyderabad, in the Province of Lower Scinde, in the Official Year 1846/47 (on 1 May 1846 to 30 April 1847)

RECEIPTS expected to be Realized on account of INCOME.		Rs.	a.	p.
Ordinary				
Hire of Camels	- - - - -	7,100	-	-
Extraordinary :				
Sale of Commissariat Stores	- - - - -	18,450	-	-
On Account of SUPPLIES.				
		Rs.		
Expected Receipts from the Paymaster to meet my Disbursements	3,30,000			
Ditto from the Commissariat Officers, &c in consequence of movement of the Troops	- - - - -	2,45,000		
		5,75,000	-	-
On Account of DEBT expected to be incurred.				
Deposits expected to be received from the Contractors	- - - - -	13,000	-	-
Cash Balance on the opening of the year, on 1 May 1846	- - - - -	-		
		6,13,550	-	-
Rupees				

PAYMENTS expected to be made on account of CHARGES MILITARY.

ORDINARY.		Rs.
TROOPS on the BOMBAY ESTABLISHMENT, expected to be employed in Scinde.		
HER MAJESTY'S TROOPS:		
Commissariat:		
Victualling Queen's Troops	- - - - -	362
Hospital Charges	- - - - -	1,064
Miscellaneous:		
Hire of Boats	- - - - -	1,322
Hire of Cattle	- - - - -	4,994
		7,742
EAST INDIA COMPANY'S TROOPS:		
Commissariat:		
Salary, Establishment, and Contingencies of Commissariat Officers	- 10,572	
Victualling Company's Troops	- - - - -	1,73,860
Hospital Charges	- - - - -	11,050
Feeding and purchasing Cattle, and providing Gear, &c.	- - - - -	72,900
Miscellaneous:		
Hire of Dooly Bearers	- - - - -	66,760
Hire of Boats	- - - - -	1,000
Ordnance Supplies	- - - - -	(*) 12,300
		3,47,948
MARINE DEPARTMENT.		
For supplies to Indus Flotilla	- - - - -	(b) 35,900
On Account of SUPPLIES.		
Commissariat Officers, in consequence of movement of Troops	- - - - -	1,70,000
On Account of DEBT expected to be paid off		
Deposits expected to be repaid	- - - - -	12,200
Cash Balance estimated to remain in hand on the 30th April 1847 in the Commissariat Treasury	- - - - -	39,760
		Rupees 6,13,550

(*) Other items.

(b) Victualling

Camp, Hyderabad, Commissariat Office, }
10 July 1846.

(signed) R N Johnston, Lieut,
Sub-assistant Commissary General.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the Commissariat Department, *Kurrachee*, in *Lower Scinde*, during the Official Year 1846/47 (from 1 May 1846 to 30 April 1847).

RECEIPTS expected to be realized on account of INCOME MILITARY

Ordinary:		Rs.
Paymaster I. F. for Commissariat Disbursement	- - - - -	(c) 5,10,000
Recoveries for different Commissariat Departments	- - - - -	(d) 35,000
Extraordinary:		Rs.
Commissariat Sale	- - - - -	3,500
Hire of Dooley Bearers and Carts, &c.	- - - - -	6,000
Government Garden	- - - - -	3,500
Retrenchments	- - - - -	16,000
Provision Department	- - - - -	7,000
Engineer Department	- - - - -	600
		30,600
Cash Balance on the opening of the Year (1st May 1846)	- - - - -	1,15,596
		Total Company's Rupees 6,91,196

(c) Supplies.

(d) Commissariat charges refunded.

(e) Other items.

PAYMENTS expected to be made on account of CHARGES MILITARY.

ORDINARY.			
Bombay Presidency Troops expected to be Serving at Kurrachee, Lower Scinde.			
HER MAJESTY'S TROOPS.			
Commissariat :		Rs.	Rs.
Barrack Department - - - - -		260	(^a)
Boat Department - - - - -		606	
Carriage of the Sick Department - - - - -		25,000	
Cattle and Cavalry Department - - - - -		5,090	
Funeral Charges - - - - -		360	(^a)
Medical Department - - - - -		20,000	
Miscellaneous - - - - -		38	(^c)
Provision Department - - - - -		76,906	
Transport of Store Department - - - - -		37	
			1,28,197
HON. COMPANY'S TROOPS.			
Commissariat :			
Barrack Department - - - - -		728	(^a)
Boat Department - - - - -		12,120	
Carriage of the Sick Department - - - - -		39,625	
Cattle and Cavalry Department - - - - -		1,59,372	
Funeral Charges - - - - -		25	(^a)
Medical Department - - - - -		37,476	
Miscellaneous - - - - -		150	(^c)
Office Establishment - - - - -		8,695	
Ordnance Department - - - - -		16,500	(^a)
Provision Department - - - - -		1,08,195	
Transport of Store Department - - - - -		15,841	
Remount Department - - - - -		15,826	
			4,14,453
Marine Department - - - - -			(^b) 4,517
Payment on account of the different Commissariat - - - - -			(^c) 56,875
Retrenchments - - - - -			(^a) 21,117
			6,25,159
Cash Balance estimated to remain at the close of the Year (30th April 1847) - - - - -			66,037
			Total Company's Rupees - - - - - 6,91,196

(^a) Other items.(^b) Victualling.(^c) Supplies.

(E E.)

Camp, Kurrachee, 1 July 1846.

(signed) W. Blenkins, Major,
Assistant Commissary-General in Scinde.

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the Commissariat Department, Sukkur, in Upper Scinde, during the Official Year 1846/47 (from 1 May 1846 to 30 April 1847).

RECEIPTS expected to be realized on account of INCOMES MILITARY.

Ordinary :			
Officer in charge Treasure Chest, Sukkur, advances for Commissariat Department - - - - -			(^d) 2,80,000
Recoveries to be made from other Commissariat Department - - - - -			(^e) 60,000
Extraordinary :			
Commissariat Sale Account - - - - -		12,093	
Hire of Dooly Bearers, &c. - - - - -		536	
Retrenchments - - - - -			(^c) 200
Cash Balance at the opening of the Year (1st May 1846) - - - - -		1,03,459	
			Total Company's Rupees - - - - - 4,56,288

(^d) Supplies.(^e) Commissariat charges refunded.

PAYMENTS expected to be made on account of CHARGES MILITARY.

ORDINARY:

BOMBAY PRESIDENCY TROOPS, expected to be serving at Sukkur and Shicarpoores.

HER MAJESTY'S TROOPS:		Rs.	Rs.
Barrack Department	- - - - -	204 ^(a)	
Carriage of the Sick Department	- - - - -	28,932	
Cattle Department	- - - - -	4,716	
Medical Department	- - - - -	11,292	
Miscellaneous	- - - - -	100 ^(a)	
Provision Department	- - - - -	38,880	
			84,124
HONOURABLE COMPANY'S TROOPS			
Barrack Department	- - - - -	24 ^(a)	
Carriage of the Sick Department	- - - - -	60,204	
Cattle and Cavalry Department	- - - - -	1,05,924	
Medical Department	- - - - -	23,976	
Miscellaneous	- - - - -	864 ^(a)	
Provision Department	- - - - -	35,664	
Office Establishment (stationary)	- - - - -	5,604	
Ordnance Department	- - - - -	2,448 ^(a)	
Remount Department	- - - - -	6,864	
Boat Department	- - - - -	1,080	
Marine Department	- - - - -	11,760 ^(b)	
			2,54,412
Payments for other Commissariat Departments		- - - - -	(c) 84,000
Cash Balance estimated to remain at the close of the Year (30th April 1847)		- - - - -	4,22,536
			33,752
			4,56,288

(a) Other items. (b) Victualling (c) Supplies

Sukkur Commissariat Office, }
1 July 1846.

(signed) H Lancaster, Lieutenant,
Sub-Assistant Commissary-general.

GENERAL SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the Province of Scinde in the Official Year 1846-47 (1 May 1846 to 30 April 1847)

RECEIPTS ON ACCOUNT OF INCOME:			
ORDINARY			
Civil	Rs.	Rs.	Rs.
Judicial, Revenue, Customs, &c.			
Scinde General Treasury, as per detailed Estimate of the Officer in charge, a copy of which is herewith sent to the Financial Secretary	9,700		
Hyderabad Collectorate - - ditto - - ditto - - -	14,33,700		
Kurrachee Collectorate - - ditto - - ditto - - -	5,58,810		
Sukkur Collectorate - - - ditto - - ditto - - -	8,53,000		
Collector of Customs - - - ditto - - ditto - - -	77,250		
Political Agent in Kutch (Collections from Districts in the Province of Scinde intrusted to his management), ditto - ditto	18,450		
Sukkur Treasure-chest	5,000		
		29,55,410	
Post Office:			
Hyderabad Post-office - - - - -	12,000		
Kurrachee Post-office - - - - -	18,000		
Sukkur Post-office - - - - -	12,000		
Shikarpore Post-office - - - - -	4,200		
Kotree Post-office - - - - -	600		
		46,800	
Marine.			
Indus Flotilla - - - - -	-		
Superintendent of Boats in Scinde - - - - -	-		
		30,02,210	
Military:			
As per accompanying detailed Military Estimate	- - - - -	- - - - -	10,59,636
			40,61,846

(continued)

FURTHER PAPERS RESPECTING SCINDE,

Receipts on account of Income— <i>continued.</i>									
EXTRAORDINARY:									
Judicial, Revenue, Customs, &c.:					<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>	
Scinde General Treasury, as per detailed Estimate of the Officer in charge, a copy of which is herewith sent to the Financial Secretary - - - - -					5,000				
Hyderabad Collectorate - - - ditto - - - ditto - - -					30,000				
Kurrachee Collectorate - - - ditto - - - ditto - - -					—				
Sukkur Collectorate - - - ditto - - - ditto - - -					—				
Collector of Customs, Kurrachee ditto - - - ditto - - -					3,301				
Political Agent in Kutch, on account of the Districts in Scinde under his management - - - - -					—				
Sukkur Treasure-chest - - - - -					—				
						38,301			
Post-office:									
Hyderabad - - - - -					—				
Kurrachee - - - - -					—				
Sukkur - - - - -					—				
Shikarpore - - - - -					—				
Marine:									
Indus Flotilla (refunded charges) - - - - -					—				
Superintendent of Boats - ditto - - - - -					—	200			
							38,501		
Military:									
*As per accompanying detailed Military Estimate - - - - -					—		84,32,343		
								84,70,844	
Total Receipts on account of Income - - -							<i>Rupees</i>	1,25,32,890	
On account of DEBT expected to be Incurred:									
Scinde General Treasury, as per accompanying detailed Estimate - - - - -					—			6,000	
Hyderabad Collectorate - - - ditto - - - ditto - - -					—			—	
Kurrachee Collectorate - - - ditto - - - ditto - - -					—			—	
Sukkur Collectorate - - - ditto - - - ditto - - -					—			—	
Collector of Customs, Kurrachee ditto - - - ditto - - -					—			—	
Political Agent in Kutch, on account of the Districts under his management - - - - -					—			—	
Sukkur Treasure-chest - - - - -					—			—	
On account of LOANS, due to Government, expected to be repaid, and Advances expected to be recovered:									
Scinde General Treasury - - - - -					—			—	
Hyderabad Collectorate - - - - -					—			—	
Kurrachee Collectorate - - - - -					—			—	
Sukkur Collectorate - - - - -					—			—	
Collector of Customs, Kurrachee - - - - -					—			—	
Political Agent in Kutch, on account of the Districts under his management - - - - -					—			—	
Sukkur Treasure-chest - - - - -					—			—	
On account of SUPPLIES expected to be received—									
					From or on account of				
					Other Treasuries in Scinde.	Bengal.	Agra	Madras.	Bombay.
					<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>	<i>Rs.</i>
By Scinde General Treasury, as per accompanying detailed Estimate - - -					16,32,150	1,37,000	10,50,000	11,000	55,59,840
Hyderabad Collectorate - - - ditto - - -					—	—	—	—	—
Kurrachee Collectorate - - - ditto - - -					10,000	—	—	—	—
Sukkur Collectorate - - - ditto - - -					967	—	—	—	—
Collector of Customs, Kurrachee, ditto - - - - -					—	—	—	—	—
Political agent in Kutch, on account of the Districts under his management - - - - -					18,896	—	—	—	—
Indus Flotilla - - - - -					—	—	—	—	—
Superintendent of Boats in Scinde - - - - -					49,711	—	—	—	—
Sukkur Military Treasure-chest - - - - -					25,00,500	—	—	—	—
					42,12,224	1,37,000	10,50,000	11,000	55,59,840
									1,09,70,064
									2,35,08,754

COMMUNICATED TO COURT OF DIRECTORS.

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CASH BALANCE on the opening of the Year (on 1 May 1846).		Rs.	Rs.
Scinde General Treasury	- - - - -	9,89,105	
Hyderabad Collectorate	- - - - -	10,40,071	
Kurrachee Collectorate	- - - - -	40,242	
Sukkur Collectorate	- - - - -	2,75,403	
Hyderabad Post-office	} - - - - -	-	
Kurrachee Post-office		-	
Sukkur Post-office	- - - - -	-	
Superintendent of Boats in Scinde	- - - - -	4,509	
Indus Flotilla	- - - - -	-	
Political Agent in Kutch, on account of the Districts under his management	- - - - -	-	
Collector of Customs, Kurrachee	- - - - -	-	
Sukkur Military Treasure-chest	- - - - -	8,75,900	
Military Estimate, No. 2	- - - - -	5,28,303	
			37,53,033
Total Company's Rupees		- - -	2,72,62,287
Amount of Expenditure of the Indus Flotilla, as shown on the Debit side of the Estimate		- - -	2,52,533
		Rupees	2,75,14,820

NET RESULT.

Receipts of Income	- - - - -	Rs.	1,25,32,690
Charges of Administration and Military Charges	- - - - -		1,05,64,452
Surplus	- - -	Rs.	19,68,238

PAYMENTS expected to be made on account of CHARGES of ADMINISTRATION and MILITARY CHARGES.

ORDINARY:		Rs.	Rs.	Rs.	Rs.
Civil:					
Judicial, Revenue, Customs, &c.:					
Scinde General Treasury, as per detailed Estimate of the Officer in charge, a copy of which is herewith sent to the Financial Secretary	- - - - -	6,21,715			
Hyderabad Collectorate	- - - ditto - - ditto - - -	2,11,500			
Kurrachee Collectorate	- - - ditto - - ditto - - -	96,480			
Sukkur Collectorate	- - - ditto - - ditto - - -	1,65,240			
Collector of Customs, Kurrachee	ditto - - ditto - - -	17,548			
Political Agent in Kutch, (Charges on account of District in the Province of Scinde intrusted to his management)	- - - - -	5,016			
Sukkur Treasure-chest	- - - - -	6,000			
			11,23,479		
Post Office:					
Hyderabad Post-office	- - - - -	15,072			
Kurrachee Post-office	- - - - -	7,752			
Sukkur Post-office	- - - - -	14,316			
Shikarpore Post-office	- - - - -	1,920			
Kotres Post-office	- - - - -	552			
			89,612		
			11,63,091		
Marine:					
Indus Flotilla:					
Steamers and Flats	- - - - -	2,02,906			
Fuel	- - - - -	24,500			
Other Stores	- - - - -	15,000			
Pilots	- - - - -	4,000			
		2,46,406			
Superintendent of Boats in Scinde	- - - - -	35,840			
General Charges	- - - - -	6,127			
			2,88,373		
			14,51,464		
Military:					
As per accompanying detailed Military Estimate	- - - - -	- - -		58,97,910	73,49,374

(continued)

FURTHER PAPERS RESPECTING SCINDE,

Payments expected to be made on account of Charges, &c.— <i>continued.</i>		Rs.	Rs.	Rs.	
EXTRAORDINARY.					
Judicial, Revenue, Customs, &c.					
Scinde General Treasury	- - - - -	4,30,500			
Hydrabad Collectorate	- - - - -	2,00,000			
Kurrachee Collectorate	- - - - -	39,860			
Sukkur Collectorate	- - - - -	10,113			
Collector of Customs, Kurrachee	- - - - -	—			
Political Agent in Kutch, on account of the Districts in Scinde under his management	- - - - -	32,330			
Sukkur Treasure-chest	- - - - -	—			
		7,12,803			
Post Office.					
Hydrabad Post-office	- - - - -	550			
Kurrachee Post-office	- - - - -	600			
Sukkur Post-office	- - - - -	—			
Shikarpore Post-office	- - - - -	—			
		1,150			
Marine					
Indus Flotilla	- - - - -	—			
Superintendent of Boats	- - - - -	18,060			
		18,060			
Military:					
As per accompanying detailed Military Estimate	- - - - -	—	7,32,003		
			24,83,075		
				32,15,078	
Total Charges on account of Charges of Administration, &c. - - - Rs.				1,05,64,452	
On account of DEBT to be Paid off:					
Scinde General Treasury, as per accompanying detailed Estimate	- - - - -	—	Rs. 200		
Hydrabad Collectorate	- - - ditto - - - ditto	—	—		
Kurrachee Collectorate	- - - ditto - - - ditto	—	—		
Sukkur Collectorate	- - - ditto - - - ditto	—	—		
Collector of Customs, Kurrachee	ditto - - - ditto	—	—		
Political Agent in Kutch, on account of Districts under his management	- - - - -	—	—		
Sukkur Treasure-chest	- - - - -	—	—		
				200	
On account of LOANS and ADVANCES expected to be made:					
Scinde General Treasury	- - - - -	—	7,18,000		
Hydrabad Collectorate	- - - - -	—	—		
Kurrachee Collectorate	- - - - -	—	—		
Sukkur Collectorate	- - - - -	—	—		
Collector of Customs, Kurrachee	- - - - -	—	—		
Political Agent in Kutch, on account of the Districts under his management	- - - - -	—	—		
Sukkur Treasure-chest	- - - - -	—	—		
			7,18,000		
On account of SUPPLIES expected to be made—					
	To or on Account of				
	Other Treasuries in Scinde.	Bengal.	Agr.	Madras (Cancelled Bills).	Bombay.
	Rs.	Rs.	Rs.	Rs.	Rs.
By Scinde General Treasury, as per accompanying detailed Estimate	65,77,130	250	9,18,000	1,34,000	—
Hydrabad Collectorate - - - ditto	—	—	—	—	—
Kurrachee Collectorate - - - ditto	4,50,000	—	—	—	—
Sukkur Collectorate - - - ditto	7,00,000	—	—	—	—
Collector of Customs, Kurrachee, ditto	—	—	—	—	—
Political Agent in Kutch, on account of the Districts under his management	—	—	—	—	—
Indus Flotilla	—	—	—	—	—
Superintendent of Boats in Scinde	—	—	—	—	—
Sukkur Military Treasure-chest	31,25,000	—	—	—	—
	1,08,52,130	250	9,18,000	1,34,000	—
					1,10,04,380
					2,13,87,032

COMMUNICATED TO COURT OF DIRECTORS.

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CASH BALANCE estimated to remain at the Close of the Year (on 30th April 1847).		Rs.	Rs.
Scinde General Treasury	- - - - -	-	
Hyderabad Collectorate	- - - - -	20 92,271	
Kurrachee Collectorate	- - - - -	22,232	
Sukkur Collectorate	- - - - -	2,54,017	
Hyderabad Post-office	- - - - -	6,038	
Kurrachee Post-office	- - - - -		
Sukkur Post-office	- - - - -		
Superintendent of Boats in Scinde	- - - - -	530	
Indus Flotilla	- - - - -	-	
Political Agent in Kutch, on account of the Districts under his management	- - - - -	-	
Collector of Customs, Kurrachee	- - - - -	63,003	
Sukkur Military Treasure Chest	- - - - -	2,50,400	
Military Estimate, No. 2	- - - - -	14,79,297	
			41,67,788
Total <i>Company's Rupees</i>		- - -	2,73,54,820
Amount of Cash supplied to the Superintendent Indus Flotilla by the Military Paymaster, detailed Expenditure of which is shown in Estimate from former Department (<i>Vide</i> Remark at foot of Military Sketch Estimate)		- - -	1,60,000
		<i>Rs.</i>	2,75,14,820

Memorandum—In the event of a move to the northward, the Superintendent of Boats at Sukkur estimates an additional expenditure of 50,000 rupees, and at Kotree the sum of 10,000 rupees per month.

(E. E.)

(signed) *E J Brown,*
Secretary to Government of Scinde

SKETCH ESTIMATE of the RECEIPTS and PAYMENTS in the MILITARY DEPARTMENT in the Province of Scinde, in the Official Year 1846-47 (1st May 1846 to 30th April 1847).

RECEIPTS expected to be realized on account of INCOME	Rs.	Rs.	Rs.
ORDINARY:			
Hospital Stoppages	- - - - -	18,000	
Gain on the Sale of Rum	- - - - -	90,000	
Sale of Cattle, &c.	- - - - -	-	
Hire of Camels, &c.	- - - - -	13,636	
Bazar Collections	- - - - -	80,000	
Fees and Fines	- - - - -	-	
Receipts on account of Non-Military patients in Hospital	- - - - -	-	
Rents of Godowns, &c.	- - - - -	-	
Fines in the Commissariat Department	- - - - -	-	
Recoveries on account of Half Mounting Equipments	- - - - -	-	
Military Fund	- - - - -	50,000	
Medical Fund	- - - - -	8,000	
Remittances	- - - - -	8,00,000	
		10,50,636	
EXTRAORDINARY:			
Charges refunded	- - - - -	-	
Commissariat Charges refunded	- - - - -	1,05,200	
Sale of Military Stores	- - - - -	4,000	
Sale of Commissariat Stores	- - - - -	34,043	
Pensions refunded	- - - - -	-	
Advances for Public Works received back	- - - - -	-	
Receipts on account of Pay of Deserters	- - - - -	-	
Receipts on account of Purchase of Discharge of European Soldiers	- - - - -	-	
Sale of Lands	- - - - -	-	
		1,43,243	
Other Items			12,02,879
			11,100
			12,13,979

FURTHER PAPERS RESPECTING SCINDE,

Receipts expected to be realized— <i>continued</i> .		Rs.	Rs.	Rs.
On account of DEBT expected to be incurred :				
Deposits expected to be received	- - - - -	- -	2,18,000	
Other Items	- - - - -	- -	-	2,18,000
On account of LOANS due to Government, and Advances made by Government expected to be recovered :				
Expected Receipts of Advances made	- - - - -	- -	- -	1,00,000
On account of SUPPLIES :				
F R O M.		Cash Remittances.	Bills of Exchange to be drawn.	Other Accounts.
		Rs.	Rs.	Rs.
On account of—				
Bengal Presidency - - - - -		—	—	—
Agra - ditto - - - - -		—	—	—
Madras ditto - - - - -		—	—	—
Bombay ditto - - - - -		—	—	—
Other Treasuries in Scinde - - - - -		79,65,000	—	—
		79,65,000	—	—
				79,65,000
Cash Balance on the opening of the Year (on the 1st May 1846)		- - -	- - -	94,91,979
Total Company's Rupees		- - -	- - -	1,00,20,282

PAYMENTS expected to be made on account of CHARGES MILITARY.

ORDINARY :	Rs.	Rs.	Rs.
TROOPS ON the BENGAL ESTABLISHMENT expected to be employed in Scinde.			
HER MAJESTY'S TROOPS :			
Pay and Allowances	- - - - -	- - - - -	- - - - -
General Staff	- - - - -	- - - - -	- - - - -
Miscellaneous :			
Passage Money of Officers	- - - - -	- - - - -	- - - - -
Ditto - - of Invalids	- - - - -	- - - - -	- - - - -
Ditto - - of Troops	- - - - -	- - - - -	- - - - -
Freight of Transports	- - - - -	- - - - -	- - - - -
Medical Attendant on Troops	- - - - -	- - - - -	- - - - -
Command Allowances to different Officers of Her Majesty's Service	- - - - -	- - - - -	- - - - -
Table Allowance of Officers on board different Ships	- - - - -	- - - - -	- - - - -
Other Items	- - - - -	- - - - -	- - - - -
Commissariat :			
Victualling	- - - - -	- - - - -	- - - - -
Hospital Charges	- - - - -	- - - - -	- - - - -
Feeding Cattle	- - - - -	- - - - -	- - - - -
Miscellaneous :			
Hire of Dooley Bearers, Boats, &c.	- - - - -	- - - - -	- - - - -
EAST INDIA COMPANY'S TROOPS :			
Pay and Allowances	- - - - -	- - - - -	- - - - -
Commissariat :			
Salary, Establishment, and Contingencies of Commissariat Officers	- - - - -	- - - - -	- - - - -
Victualling Company's Troops	- - - - -	- - - - -	- - - - -
Hospital Charges	- - - - -	- - - - -	- - - - -
Feeding Cattle and providing Gear, &c.	- - - - -	- - - - -	- - - - -
Hire of Dooley Bearers, &c.	- - - - -	- - - - -	- - - - -

Payments expected to be made on account of Charges Military— <i>continued.</i>	Rs.	Rs.	Rs.
East India Company's Troops—<i>continued.</i>			
Miscellaneous :			
Hospital Charges	-	-	-
Sudder Bazar Establishment	-	-	-
Command Allowances of Officers	-	-	-
Compensation to Proprietors of Lands occupied for Military Cantonments	-	-	-
Repairs of old Buildings	-	-	-
Other Items	-	-	-
Cattle attached to the Army :			
Purchase of Cattle	-	-	-
<hr/>			
TROOPS on the BOMBAY ESTABLISHMENT expected to be employed in Scinde.			
HER MAJESTY'S TROOPS :			
Pay and Allowances :			
Infantry, three Regiments	-	-	12,30,000
General Staff	-	-	-
			<hr/> 12,30,000
Miscellaneous :			
Passage Money of Officers	-	-	Rs. 8,000
Ditto - - of Invalids	-	-	-
Ditto - - of Troops	-	-	-
Freight of Transports	-	-	-
Medical Attendant on Troops	-	-	-
Command Allowance to different Officers of Her Majesty's Service	-	-	-
Table Allowance of Officers on board different Ships	-	-	-
Other Items	-	-	962
			<hr/> 8,962
Commissariat :			
Victualling	-	-	1,16,148
Hospital Charges	-	-	32,356
Feeding Cattle	-	-	9,806
			<hr/> 1,58,310
Miscellaneous :			
Hire of Dooley Bearers, Boats, &c.	-	-	60,791
			<hr/> 2,19,101
			<hr/> 2,28,063
EAST INDIA COMPANY'S TROOPS :			
Pay and Allowances :			
Horse Artillery, 1 Troop	-	-	86,000
Foot Artillery, 8 Companies	-	-	2,20,000
Native Light Cavalry, 1 Regiment	-	-	24,000
Sappers and Miners, 1 Regiment	-	-	76,000
Irregular Horse, 2 Regiments	-	-	7,00,000
Native Infantry, 10 Regiments	-	-	14,15,000
General and Station Staff	-	-	3,20,000
Ordnance Department	-	-	72,000
Pension Establishment	-	-	5,000
Ecclesiastical Department	-	-	-
Light Field Batteries (7)	-	-	1,50,000
European Regiment (1)	-	-	2,50,000
Lord Clive's Fund	-	-	500
Honourable Company's Troops	-	-	20,000
Off-Reckoning Fund	-	-	10,000
			<hr/> 83,48,500
Commissariat :			
Salary, Establishment, and Contingencies of Commissariat Officers	24,871		
Victualling Company's Troops	-	-	3,69,402
Hospital Charges	-	-	72,502
Feeding Cattle and providing Gear, &c.	-	-	3,60,886
Hire of Dooley Bearers, Boats, &c.	-	-	1,96,530
Other Items	-	-	54,156
			<hr/> 10,78,847
			<hr/> 44,26,847
			14,58,063

(continued)

FURTHER PAPERS RESPECTING SCINDE,

Troops on the Bombay Establishment, &c.— <i>continued.</i>		Rs.	Rs.	Rs.	
East India Company's Troops— <i>continued.</i>					
Miscellaneous		—			
Hospital Charges		3,000			
Sudder Bazar Establishment		—			
Commodial Allowance of Officers		—			
Compensation to Proprietors of Land occupied for Military Cantonment		—			
Repairs of Old Buildings		10,000			
Other Items		—	13,000		
				44,39,847	
Cattle attached to the Army					
Purchase of Cattle					
EXTRAORDINARY					
Batta to Officers and Men				5,55,000	
Construction of Buildings				—	
Other Items				40,000	
				5,95,000	
On account of DEBT (expected to be Paid off):					
Deposits expected to be repaid				1,47,200	
Other Items				—	
				1,47,200	
LOANS AND ADVANCES by Government (expected to be made):					
Emergent Receipts				1,40,000	
SUPPLIES (expected to be made):					
		Cash Remittances.	Bills of Exchange Discharged	Other Account.	TOTAL.
		Rs.	Rs.	Rs.	Rs.
Bengal Presidency		—	—	—	—
Agra ditto		—	—	—	—
Madras ditto		—	—	—	—
Bombay ditto		—	1,90,000	56,875	2,46,875
Other Treasuries in Scinde		13,54,000	—	—	13,54,000
		13,54,000	1,90,000	56,875	16,00,875
					16,00,875
Cash Balance on the 30th April 1847 estimated to remain in the several Military Treasuries and Military Chests in the Province of Scinde					88,80,985
					14,79,297
					98,60,282
Amount debited by Military Paymaster to the Indus Flotilla, the expenditure of which is shown in No. 1 Regular Estimate, taken from the Return sent in by the Superintendent, Indus Flotilla					1,60,000
Total Company's Rupees					1,00,20,282

(E. E.)
(signed) E. J. Brown,
Secretary to Government of Scinde.

PROVINCE OF SCINDE.

ABSTRACT of the ESTIMATED REVENUES and CHARGES in 1846/47, as per Estimates of the Province.

	CIVIL.			MILITARY:			TOTAL.		
	Ordinary	Extra-ordinary	Total.	Ordinary.	Extra-ordinary.	Total.	Ordinary	Extra-ordinary.	Total.
	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.
Revenues	29,87,510	38,501	30,26,011	(a)2,06,636	1,54,313	3,60,979	31,94,146	1,92,844	33,86,990
Charges	14,45,464	(b)7,32,003	21,77,467	58,97,910	5,95,000	64,92,910	73,43,374	13,27,603	86,70,377

(a) Omitted by the Accountant, on the assumption, apparently, that the receipts are creditable on the Bombay Estimate

(b) The Accountant has estimated 11,68,000 Company's rupees, the increase is chiefly in the Estimate for constructions of Buildings.

PROVINCE OF SCINDE

ABSTRACT of the ESTIMATED REVENUES and CHARGES in 1846/47, as per Estimate of the Accountant to the Government of Bengal.

	CIVIL.			MILITARY			TOTAL		
	Ordinary	Extra-ordinary	Total	Ordinary	Extra-ordinary	Total	Ordinary	Extra-ordinary	Total
	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.	Co's Rs.
Revenues - - - -	29,73,300	31,000	30,04,300	-	-	-	29,73,300	31,000	30,04,300
Charges - - - -	(a) 19,35,510	11,68,000	31,03,510	-	(b) 62,11,000	52,11,000	19,35,510	63,79,000	83,14,510

(a) This includes the pensions paid to the Amceers, charged under the head of "Territorial and Political Pensions," and the expenses on account of the officer in charge of the Ex-Amceers, debited under "Residents and Political Agents," &c

(b) Of this item, 6,11,000 Company's rupees ought to have been entered by the Accountant under "Ordinary."

(True copies)

East India House,
10 March 1847.

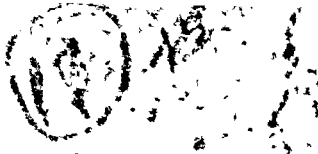
(signed) T. L. PEACOCK,
Examiner of India Correspondence.

SCINDE.

COPIES of all Further PAPERS respecting *Scinde*,
that have been communicated to the Court of
Directors.

(*Mr. Hume.*)

Ordered, by The House of Commons, to be Printed,
16 March 1847.



Relating to an
Subordinate
of Calcutta.

From the Hon'ble

To the Hon'ble
in Council

HON'BLE SIR,

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of the East India Company, without any authority but those of its own Members in a small Legislative Council assembled, with jurisdiction in all matters the actions at Law of what nature or kind soever abovementioned limitation in pecuniary amount, damages, or value. This Court, therefore, newly by the Corporation of the East India Company otherwise a Court of the Queen, as all Courts of within Franchises or Ports, and all Courts of the Queen, without any appeal, avowedly meant to substitute a Court of the Queen, in all matters of jurisdiction of the resort to Her Majesty, suits for debt exceeding £100, and suits and actions w.

This new Court, to substitute, of which part, itself in supercession of Court, in all matters of a Court *prima instance*, short of £100, Preaml. demand, particular limit, as well as an use, me.

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 abolition of the Common Law jurisdiction of
 the Court, a measure which might be otherwise
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 dicially allowing the two systems to subsist together" with-
 out objection, "that the Common Law jurisdiction of the
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land, and it must have been inserted here without attending to its obvious and necessary consequences, which those who framed the Act, would be the very last persons to render possible if they had adverted to them.

Section 6. The jurisdiction extends to *all actions at Common Law* without distinction or limit; the limit having reference only to the amount of the debt, damages, or value of property. This in actions for recovery of real Estate is fixed at Company's Rupees 200, or £20 Sterling, per annum, or it may be about Company's Rupees 4,000, or £400 Sterling of price. In actions for *personal wrongs* the limit is Company's Rupees 300, or £30 Sterling. In all other actions as Trover, Detinue, Trespass, &c., the limit is Company's Rupees 1,000, or £100 Sterling. So that a man may bring an action in this new Court for lands or houses of the value of £400 Sterling; but not for a piece of plate if the value exceeds £100, nor for a broken head, or the loss of his character, if he estimates his damages at more than £30.

All these limitations rest upon a very singular notion, that the necessity for learning and ability, and accurate procedure in Courts of Law depends, not on the nature and difficulty of the questions to be decided, but on the pecuniary value of the property, or damages to be awarded. Small Debt Courts in England are established on the principle, that in matters of small amount it is a greater general good to obtain a *cheap decree* than to be made sure of a *just decree*. This, though thought doubtful, has been yielded to what has been thought a necessity. But, in consistence with principle, the jurisdiction is limited to £20 in amount and excluded in cases whose importance and difficulty does not depend upon pecuniary amount.

The Stat. 9 and 10 Vict. C. 95, passed on the 29th of August last "For the more easy recovery of small debts and demands in England," declares that it is expedient that one rule and manner of proceeding should prevail throughout England in Courts of this nature which it gives power to Her Majesty for the above purpose to establish all over England, with the exception of the City of London. This therefore is a Parliamentary declaration of the extent of jurisdiction and manner of proceeding to which such Courts ought to be limited throughout England. The jurisdiction of all such Courts is limited to pleas of personal actions where the *debt or damage claimed* is not more than £20, and is excluded in actions of ejectment, or in which the title to any corporeal or incorporeal hereditaments—or to any toll, fair, market, or franchise, shall be in question, or in which the validity of any devise, bequest or limitation under any Will or Settlement may be disputed (not *is in question*—or *is disputed*) or for any malicious prosecution, or

for any libel or slander, or for criminal conversation, or for seduction, or for breach of promise of marriage.

In the Draft of the Proposed Act the limits of amount do not bear reference to the *debt* or *damages claimed* but to the *debt, damages or value of property for which such action may be brought*. No mode or principle is stated by which such *value* shall be ascertained which must form a preliminary issue upon plea in abatement to the jurisdiction—and the jurisdiction is not excluded in any but is conferred in all of the above actions in which it has been declared by the Imperial Parliament that such Courts established in England, where, as in Calcutta, the Law of England is established, ought not to have jurisdiction. It is not stated, and does not readily occur to an English Lawyer, upon what grounds Parliament is considered to have been in error in this declaration. It is for your Honor in Council to consider whether the standing thus opposed to the declaration of Parliament is a desirable position for the Legislative Council of India. It is believed that the whole Bench and Bar of England will concur with the Parliament.

Section 7. The limit by 9 and 10 Vict. is £20. It seems very difficult to hold that a jurisdiction conferred on Inferior Courts where none but Barristers of a certain standing preside in the wealthy country of England as being considered the largest in pecuniary amount which it is there necessary or safe to confer, should be only two-fifths of what it is safe and requisite in the poor country of Bengal to confer on such Courts to be held by Native Baboos and others, respectable and conscientious, but unlearned men.

Section 8. The same observation as to the amount of the sum sought to be recovered applies to this as to Section 7.

Sections 8-9. If the *plaint* does not accurately and specifically state *what redress the plaintiff demands* the defendant cannot be prepared to meet the plaintiff or decide whether he will contest the demand or admit it. If it is meant that the plaint stating the facts only, the summons framed by the Commissioner, is to state the redress demanded as well as the citation to appear, then the Judge is to determine, not the redress which the plaintiff is entitled to, but what he ought to demand, a very singular duty to devolve upon the Judge, who is afterwards to decide upon the justice of the demand. But whether the specific redress demanded is intended to be inserted in the plaint, the provision for so doing having been omitted *per incuriam*, or to be left to be supplied by the summons, it is clearly left to be settled by the Judge, although there is no provision for more than one of the Judges having any knowledge of the Law. Now the jurisdiction extending to all causes

of action for which an action may be brought on the plea side of the Supreme Court, i. e. for which an action at Law may be brought by the Law of England, it is necessary in order to form an idea of the duty to be performed by one of these intended Commissioners, to consider what these actions are—their nature and variety.

It is no doubt provided by Section 18 that if any unlearned Commissioner *perceives*, (a most singular and indefinite expression) *at any stage of the cause* that the suit is not one which ought to proceed before a Commissioner, not a Barrister, he may hand over the suit to the Chief Commissioner who shall *proceed with the suit*. Now, 1st, it requires little less learning to see a legal difficulty than to frame pleadings to meet and overcome it—an ignorant man sees no difficulties. 2ndly, if the plaint or pleadings are so framed as to leave the suit involved in legal difficulties, the Barrister cannot *proceed with the suit* in the manner prescribed by Section 11 *according to the Law administered in the Supreme Court in the like cases*. But unless he decides contrarily, it may be to justice upon a technicality, the proceedings must be discontinued; and the whole matter commence *de novo* in this Court, specially, created, for the prompt and cheap administration of justice.

It is required only to open the most compendious, clear, and able book upon the Law relative to trials at *Nisi Prius*, the precise cases with which this new Court will have to deal, written by Mr. Justice Buller more than half a century ago, to see the difficulties in which the proposed Attorney-Judge will be involved in his triple capacity of Attorney for the plaintiff to advise him what sort of an action to bring—to draw his plaint for him, stating accurately the facts he alleges, and the remedy in Law which he demands—and advise him what evidence he is to produce—of Attorney for the defendant to advise him what defence to make—to draw his defences for him—and to advise him by what evidence to support them.—Of Judge to decide upon the validity in Law of the plaint and the defences which he has drawn and advised—of the admissibility and effect of the evidence which he has directed to be brought in the absence of other evidence which he has directed to be omitted, all which written evidence he must have read, and oral he must have heard from the witnesses themselves in his capacity of Attorney for the respective parties before the trial, since no man can advise safely upon the production of evidence without knowing accurately what it will be—and then, in his capacity of Judge, to pronounce upon the Law and the facts which he has himself, as such double Attorney, put in issue and in evidence.

How it should be expected that any man of whatever learning, capacity, and candour, and however dispassionate, should perform all these functions with the slightest

chance of doing justice between ignorant men, who can neither state their own cases, nor correct the errors of the Commissioner, it is beyond my power to imagine.—But that this should be required to be done in all actions competent at Common Law by the Law of England—the decision being according to the Law administered by the Supreme Court, I am compelled, without meaning any offence to say, is to me incomprehensible. Let any man read the first 79 pages of the old book I have mentioned, containing a notice of the actions which may be brought for injuries affecting a man's person or personal property—their variety, accuracy and necessary distinction. Let him add to this the new Rules of pleading adopted in the Supreme Court without reference to the actions concerning real property. Let him recollect that the Law is not to be altered, but the administration of it is to be placed in different hands and that different duties are to be imposed upon those who shall be nominated to administer it. And then let them decide whether these duties can be performed without a constant recurrence of manifest injustice. Let him add to these the actions which concern real property, Ejectment, Writ of Right of Dower, &c. &c. and then what shall be said of this perilous scheme?

Clauses 12 and 13. Each Commissioner forms of himself a distinct and separate Court. Where there are several Courts of concurrent jurisdiction it has been generally thought right to leave it to those who have suits to bring to chuse their own Court, and they will generally chuse that in which the business is likely to be the best and most expeditiously done. The discretion and power vested in the Chief Commissioner appear to be both invidious and perilous, and it proceeds upon a direct Legislative declaration that all the Commissioners will not be qualified to decide the suits in which the Act nevertheless gives them jurisdiction. I presume they are to be sensible men whether Baboos or Barristers. The difference therefore must consist in their education. Surely it were the part of a wise Legislature not to confer upon a Court jurisdiction in suits which the education of its Members must in many instances unfit them for deciding according to Law.

Section 10. The words of the English Act are “shall dwell or carry on his business at the time of action brought,” 9 and 10 Vict. C. 95, Section 60.

Section 11. The words ought to be “according to the Law administered” leaving out “to be.”

By this Clause, though the plaintiff cannot institute a suit for an *equitable* demand merely, the defendant may at his pleasure, if he has an equity, convert the action at Common Law into a suit in Equity. Thus if an action in the nature of ejectment be brought and one who defends as landlord avers, that the lessor of the plaintiff is a Trustee

for him, the defendant, all the questions of it may be a complicated trust, must be decided at one sitting by one unlearned Judge in a Court which has none of the machinery for investigating such a trust. And this where there may be many other *cestui que trusts* interested. When one of two things must happen, either their rights must be adjudicated upon without their being heard, or a foundation must be laid for as many Writs as there are parties interested, and all this resulting from the institution and modelling of a Court for the speedy and cheap administration of justice.

But how is the Supreme Court as a Court of Appeal to deal with an action at Common Law thus converted into a suit in Equity? I presume a decision in an action at Common Law is not meant to be appealed from to the Supreme Court on its Equity side, and I observe that by Section 30 the mode in which the appeal in all cases can only be brought, is by motion for a *Rule to show cause*, a proceeding known, only to the Supreme Court on its Common Law side, and on that side it can no more entertain a question in Equity than can the Court of Queen's Bench.

Section 13. The Commissioner sitting with one Juror could hardly be said to be *the associating of a respectable part of the public in the administration of Justice*, nor can one Juror give any valuable assistance to one Judge, they being equally unlearned, and the Jury though they should be more numerous it should seem from Section 14 are to decide nothing, but to give an *opinion* whether upon the result of the evidence, or upon the matter of Law, or upon both, taken together, it is not said. If the Commissioner therefore differs from the Jury and decides in opposition to the result of their opinion or verdict whether he agrees upon the fact and has decided upon what he thinks the Law or differs upon the fact, cannot be known, and no precise or definite ground can be stated to the Court of Appeal upon which to obtain a rule to show cause why the decree should not be altered, &c., as per Section 30, and in the Supreme Court no such rule is obtained but upon the averment of some certain and definite ground or grounds upon which such rule is moved for. The great excellence of Common Law trials by the Law of England, in devolving the questions of fact upon one tribunal and the questions of Law upon another which gives certainty to the decision and presents frivolous and vexatious appeals, is here lost sight of; and though a sort of Jury is proposed to be introduced, it is carefully provided that it shall not accomplish the sole purpose for which in 9 cases out of 10, a Jury is of use. By this Section the questions whether these Commissioners shall sit with or without a Jury in all suits or with a Jury in certain, and in what particular classes of suits, and whether and in what parts of the proceedings in any suits, it is left

to the Governor General in Council to settle by Proclamation. This seems a loose and unsatisfactory provision—and the more so that such Proclamation, not being a Legislative Act, the legal member will have no voice in the framing by the Council of such Proclamation. What a total, and, it is humbly thought, unwise deviation from 9 and 10 Vict. this is, will be seen by comparing these Sections with Sections 69, 70, 71, 72, 73 of that Act, whereby there is in no case a Jury in actions not exceeding £5, unless the Judge on the application of either party orders it, or in actions above £5, unless where either party requires a Jury, and the Jury consists of 5 who are sworn to give their verdict in the ordinary way and must be unanimous. Where no Jury is required by either party the Judge determines all questions as well of fact as of Law—it being clear from this that where there is a Jury the questions of Law and fact are submitted to the separate tribunals as in ordinary actions at Law.

Section 14. It is clear that under this Clause every shop-keeper must forgive half the debts owing by his customers, or he must spend his life in this Court and shut up his shop for want of time to attend to his business, and every man of business, be he shop-keeper, merchant, lawyer or any other, must pay whatever any one may demand of him as cheaper than neglecting his employment to defend suits in this new Court.

Section 15. The exemptions are so limited as to amount to nothing except to show that in 19 cases out of 20 there can be no exemption, be the penalty incurred by appearance, what it may. 2. They are ill defined—a *Crânee* in a Public Office is engaged in the Public Service. What the rank may be which exempts from appearance by the Regulations I don't know, nor are we told in what Regulation we are to look for it—meanwhile it seems a singular Law for an English and Christian Legislature to pass which shall exempt a man because of high rank from appearing in a Court of Justice when it is necessary, or compel a man because of low rank so to appear when it is *not* necessary—it being a maxim of the English Law that all men are equal in Courts of Justice. 3. The exemptions extend to the appearance when it is absolutely necessary to the ends of justice as when the personal examination of the party is required on oath or otherwise. And this is not cured by Clause 16 which relates only to the *good faith of the excuse*, and has no reference to the nature of the cause or purpose for which the appearance is demanded as to the *degree in which the excuse exists* if it exists, such as the Law describes it, the Commissioner is not merely *justified* in admitting it but bound so to do. There is no power given to the Commissioner to dispense with the Law. But the greater part of the exemptions are

incapable of *degree*—absence from Calcutta—engagement in the Public Service, being a Rajah, or of the female sex, or not cognizant of the matter, are absolute propositions, not matters of degree.

By Clauses 2 and 3 of this Section *every plaintiff* must appear in person except as excepted in Clause 15, and state for himself the facts he relies on, unless he deposits in Court 50 Rupees when although he must appear in person, he may make his statement of facts by an agent; the said 50 Rupees being deposited as security for any sum which may become due—it does not very clearly appear in what way—in respect of the suit to the defendant or the Government. It is not said why it is thought that a man who can deposit 50 Rupees besides paying an agent should have more occasion for an agent to state his case for him than a man who cannot afford these expences. One would suppose the poor man generally the least able to state his own case, nor is it said why a *defendant* may not make his statement by an agent—nevertheless there is no such provision.

Section 15, *Clause 2.* *Facts* cannot constitute a claim. They are its *foundation*. Here the plaintiff is confined to stating the *facts* not the *inference* he draws—or the remedy he seeks—as to his appearing in person I have already spoken.

Clauses 5 and 6. The *facts* when written down are still said to *constitute* the plaint. But a plaint or complaint to a Court consists of two parts the *statement of facts and the demand of redress*. There is nothing said of the latter whether the plaint is to contain it by whom it is to be inserted—whether to be framed at the discretion of the party or the Judge. *The reducing into form and writing down of the facts* will not show the object of the action or whether the redress is within the jurisdiction.

Section 15, *Clause 10.* It is not said *how or by what evidence or what shall constitute such withdrawal or such likelihood*—the matter in question being the loss of personal liberty.

By *Clause 17.* An agent, if admitted to appear may be examined and cross examined in the same manner as the party himself might have been had he appeared in person.

By *Clause 9 of Section 17* the statements of parties so obtained are to be *evidence in the cause*. Such statements therefore, of an agent, though without the privity of the party, are to be *evidence against the party*—and not only so, but by *Section 25* any party who has by himself or his *agent* it is not said with his privity and concurrence, prevaricated may be fined or imprisoned.

I do not think it necessary to go more minutely into the questions which arise upon the manner of pleading proposed—having already stated my reasons for believing that no man, the best versed in the Law, could perform the duties imposed upon the Commissioners in the conduct and institution of the suit acting as the adviser of the parties. But when his duties are particularized in Section 17 with reference to demurrers and pleas it must be obvious that the most acute and practised special pleader practising at Westminster would find full employment for all his learning and all his accuracy though he had but one side of the cause to conduct and had the management of it from the beginning instead of having the necessary blunders in pleading to correct of a fair and well intentioned, but unlearned Baboo.

The right of appeal to the Supreme Court it is without doubt matter of necessity to reserve from a Court so constituted.—But if it is expected that any saving of expensive suits in the Supreme Court will accrue to suitors in causes of small value or saving of time to Her Majesty's Judges from the institution of the new Court, I entertain no doubt that such expectation will be lamentably disappointed.

The limitation on the discretion of the Supreme Court to alter or reverse the decree or to direct a reconsideration or new trial appears not well considered.

Section 32. You cannot arrive at justice consistently with Conscience and Equity, but by fixed and well known rules both of procedure and of evidence, and if any of these rules have been departed from a new trial should be had. As this new Court is constructed, it will be impossible in almost any case to determine whether its error, when it commits one, has proceeded from such a mistake in Law as would amount to misdirection in a Judge, or from a misapprehension of the facts, or from both mixed together, and there seems no reason why the error of a Commissioner who has pronounced upon the evidence such a decree as if it had been the verdict of a jury, would have been manifestly contrary to the evidence, should not be corrected by the Supreme Court in the same way and upon the same principles as such an error committed by a jury at Westminster is corrected by the Court of Queen's Bench.

That Court does not set aside a verdict where there has been evidence on both sides, and it was for the jury to balance it and decide upon it.

There are several things omitted in the Draft Act which in order to give the proposed Court any definite authority it would be necessary to enact.

1. It is said *when* and *where* and *by what name* the proposed Court *shall be established* but not *by whom* or *by whose authority*. It is not established by the Act either in

præsentis or de futuro, but the Act enacts that on a certain future day it shall be established but not how or by whom. In such a matter as the establishment of a new Court of Justice nothing can be intended or implied. And it is not said by whom the Commissioners are to be appointed. It is said that the Court shall consist of as many Commissioners as to the Governor of Bengal shall from time to time *seem meet*, not giving power to the Governor of Bengal to *nominate* and *appoint* such and so many persons to be Commissioners of the said Court as to him shall seem meet. By the English Act power is given to the Queen with advice of the Privy Council to order the Act to be put in force, &c., and it is enacted that the Lord Chancellor shall appoint the Judges, &c.

2. The Court is to have jurisdiction *over all causes of action*, &c., (Section 6,) words not very accurate if intelligible, but it is no where directly said what the jurisdiction is to be—nor is any power directly given to the Court to *hear and decide—to examine witnesses—to make any decree or order*—or to follow any prescribed practice or the practice of any known and existing Court.

By Section 11, it is enacted that the new Court shall *decide*—but it is no where said in what manner or by what means it is to *hear*—and it is there said that it shall decide according to the Law ‘to be’ meaning “that would be” administered in the Supreme Court, but this rule is instantly annulled in the same sentence when it is provided that *in purely legal demands*, meaning I presume, that in the case of a purely legal demand on the part of the plaintiff, if the defendant shall allege an equitable defence, the new Court shall by its decree give the defendant the benefit of such defence upon the same principles of Equity as would be applied in the like case by the Supreme Court, on its Equity side. But as the Supreme Court has no means of proceeding with a cause in which at one and the same time the plaintiff is insisting to enforce at Law a purely legal demand, and the defendant pleads a purely equitable defence in the same suit or action it can afford no precedent to the new Court for its proceedings in such case and no course of proceeding is pointed out by the Draft Act. The parties therefore and the Judge must be quite at sea. It seems to be forgotten that a correct, fixed and accurate course of proceeding is essential to the administration of justice.

In the Supreme Court if in such case the defendant at Law has an equitable defence only, the parties must change their positions, the defendant must become plaintiff in Equity and the plaintiff at Law defendant in Equity, and he will no longer be confined to the rules applicable to the enforcing his purely legal demand, but will be entitled and most justly, to all the Equities which he can urge to rebut

the Equity of the defendant at Law now plaintiff in Equity, and having the burden of proving his Equity cast upon him or rather assumed by him.

By Section 12 power is given to compel the attendance of witnesses—but none to examine them, and the general power given to exercise all the powers exercised by the Supreme Court for trial and determination and execution &c., must be nugatory since the mode of commencing the suit, of defending it, and of proceeding to its determination in the new Court are not only so different but so opposite to the proceedings of the Supreme Court in actions at Law that the powers exercised by the latter can by no means be applicable to the proceedings in the former Court.

3. It is not said whether the new Court is to be a Court of Record or not, as the Draft Act stands it will not be a Court of Record unless by implication. It will be an English Court administering the Law of England and by that Law there are essential differences between Courts of Record and Courts not of Record. It is true that by Section 12 it is enacted that the new Court shall exercise all the powers which are exercised by Her Majesty's Supreme Court in the matters therein mentioned which Court being a Court of Record and the powers it exercises in these cases being those of a Court of Record, it may be implied that the new Court is intended to be a Court of Record. But matters of this importance in the establishing of a new Court of Justice ought not to be left to implication.

4. There are many things of great importance in the working of the proposed Court in its capacity of a Court for the Recovery of Small Debts and Demands which are admirably provided in the Statute 9 and 10 Vict. which I have above referred to that are totally omitted and lost sight of in this Draft Act—such as the provision for decreeing payment by instalments, for the case of cross judgments, for the levying execution with the least amount of hardship and oppression upon the poor and the destitute, and some others which will be found in that Act of which it is not too much to say that it appears to have been framed with great skill and care and to throw great lustre upon the times which have produced it. It will not fail to cause great surprise in those to whose notice the fact shall be brought that the lesson this important Statute has taught in this interesting department of the Law has wholly escaped the attention of the Legislative Council of India.

I will close this letter which I fear my anxiety to secure the due administration of justice in this part of Her Majesty's Dominions with which administration I have been so long connected—a connection now about to be dissolved at no distant time—has led me to make unreasonably long with two remarks. *First*, that as regards the

general jurisdiction to be conferred on the proposed Court in all matters the subjects of actions at Law under the proposed limitations only in regard to the pecuniary amount of debt, damages or value, such jurisdiction is not only in my humble opinion wholly unnecessary but will be extremely mischievous; and *Secondly*, that as regards the more easy recovery of small debts and damages, the provisions for the construction and mode of procedure of the proposed Court contained in the Draft Act are in my humble opinion ill considered and not calculated to produce a beneficial result—whereas your Honor in Council has before you an admirable model for such a Court in the Statute 9 and 10, Vict. c. 95, drawn by an union of all the legal and statesman like talent of England.

I have, &c.
(Signed) J. P. GRANT.

From the Hon'ble Sir H. W. SETON,
To the Hon'ble the PRESIDENT of the COUNCIL of INDIA
in COUNCIL.

Dated the 26th April 1847.

HON'BLE SIRS,

The Chief Justice and Mr. Justice Grant having in answer to the letter of Government bearing date the 13th day of March 1847 expressed their opinions separately upon the proposed Act for establishing a Court of Subordinate Civil Jurisdiction in Calcutta, I have the honor to submit mine.

The Act may be considered,

1st. With a view to the administration of justice generally.

2d. As a substitution for the Court of Requests.

With respect to the 1st without entering again into the ample field of controversy, suggested by the merits of the new system, and the confident anticipations of success with which it has been recommended, I cannot but think that the adoption of rival systems for the administration of justice (for rival they must be to the extent of the jurisdiction of the new Court beyond that of the Court of Requests) each having its allies in the Press, the Bar and the Profession generally, stimulated by professional and personal interests, would confer little benefit upon any community, and least of all upon a community like this not without the elements of party spirit, but without that protection against the ill effects of it which the strength and consistency of public opinion could alone afford.

With respect to the 2d. I should not have been averse to see an experiment from which so much is anticipated tried on a limited scale; so as to be capable of being extend-

ed in operation, or abandoned, according to the result of the trial.

But I can scarcely think such an experiment justifiable since the passing of the English Act for establishing Local Courts (9 and 10 Vict. C. 95) which appears to me to furnish a model for Courts of this description preferable in every respect to that proposed.

In illustration of my opinion I would only refer to the mode of proceeding substituted for formal pleadings; combining clearness and certainty with the absence of all technicality; the optional recourse to a Jury limited in number but retaining its ordinary functions and the provisions for the execution of its judgments, at the least possible sacrifice of personal liberty; a consideration of the highest importance but apparently overlooked in the proposed Act.

In accordance with this view I may perhaps be permitted to state my opinion generally which has been confirmed by my experience in this country, that the advancement of its institutions will be best effected not by any effort to construct them for itself, but by the adoption of the improvements which are rapidly taking place in the Law of England, with such modifications as may be required.

The more we reflect upon the limited resources of the Local Legislature for the purposes of Law reform (assuming the co-operation of the Judges of the Supreme Courts,) the more we shall be convinced of its inadequacy to the gigantic task of remodelling the institutions of an Empire, and that we must be content to follow rather than to lead in the march of improvement, more especially where (as in the measure proposed) we have the intelligence of England for our guide.

I have the honor to be, &c.,

(Signed) H. W. SETON.

Court House, the 26th of April 1847.

From the Hon'ble Sir L. PEEL,

Chief Justice of Calcutta,

To the Hon'ble the PRESIDENT of the COUNCIL of INDIA
in COUNCIL.

Dated the 30th March 1847.

HON'BLE SIRS,

I have the honor to acknowledge the receipt of your letter to the Judges of the Supreme Court at this Presidency, dated the 13th March 1847, and to submit to your consideration some observations and suggestions on one of the Draft Acts to which your Letter refers, viz. the Draft Act for establishing a Subordinate Civil Court in Calcutta.

The 6th and 11th Sections of the above Draft Act were altered by me and my alterations were approved of, and the 7th and 8th Sections were added by me, at the same time I stated to Mr. Cameron that I must not be understood as approving of the plan of procedure proposed to be adopted, or of all the other provisions of the Draft Act, and that I should state my objections to the proposed Draft Act if the Government should do me the honor to ask my opinion concerning it.

The Draft Act when it was originally submitted to me, proposed to confer an extent of jurisdiction inconsistent in my opinion with the notion of a Court instituted for the trial of causes of small amount, I proposed limitations on this which were adopted, and from that proposal I think that I ought not to recede.

I think that the Statute 9th and 10th Victoria, C. 95, lately passed for the more easy recovery of small debts and demands in England establishes Courts for the trial of such causes of action on a better plan than that contained in the proposed Draft Act for the establishment of a Court here of similar jurisdiction. That Act has been very carefully prepared and is very full and particular in its provisions, the principal part of which might be adopted here, and the Subordinate Court when established, might if it should be thought proper to confer a jurisdiction so ample, have a jurisdiction as ample as that provided by the Draft Act, I have not heard any complaints of the mode of *procedure* which has hitherto prevailed in the Court of Requests. It is of a summary character, and very little different from that established by the 9th and 10th Victoria. The Draft Act proposes to establish the system of special pleading and to make the Commissioners the pleaders, who shall from the oral or written statements of the parties prepare their respective pleadings. It is proposed to apply this mode of procedure to all demands. Many causes in the Court of Requests are for very trifling sums, and causes of this kind would be equally numerous in the proposed Court. The summary procedure which has prevailed is in my opinion better calculated for causes of this description than a system of special pleading; nor do I suppose that it will be found unsuited to such cases as will be tried in the subordinate Court in general. And as an equitable jurisdiction is conferred that I think is an additional reason for not introducing the rules of special pleading.

By the Draft Act it is proposed to make each Commissioner a special pleader, but the professional Commissioners alone will probably be conversant with the principles of special pleading: and if the system of special pleading recommended be established, it would be right, in my opinion, that there should be a pleading Commissioner or pleading Commissioners, or some Officer or Officers of the Court

whose province it should be to prepare all the pleadings in all the causes. This latter plan is adopted by the English Act; *for the Clerk in Court* is to prepare the pleadings, and receive notices of defence, and the Judge under that plan comes with an unbiassed mind to the trial.

The examination of the parties with a view to the preparation of their pleadings by the Judge is not clearly defined and limited by the Draft Act. It is not expressed whether the intention is that the Judge is to decide *on the effect of evidence* as elicited by such examination and to prepare the statements on his own impression of that effect, contrary to the wish of the parties whose allegations may be in course of preparation; in which case the Judge would decide then on the facts, though merely engaged in reducing into form the allegations of the parties, or whether the intention is merely that the examination shall be only for the purpose of bringing out clearly and fully the allegations of the parties, as they would have them.

By the Draft Act it is expressed that if the plaintiff produce a written statement of his case, the Commissioner or an Officer may vary it if it in substance disagrees with the statement of facts elicited by the examination of the plaintiff. This should be qualified I think, by the additions of the words "with the consent of the plaintiff" unless it be intended that the Commissioner should be empowered to judge of the effect of the evidence obtained by his examination of the party, and to frame the allegations on his the Commissioner's opinion of what the truth of the case may be, and not on the party's representation of it, it should be remembered that this is not properly the stage of trial at all, but of averment, and that if any interference with the freedom of averment is to be sanctioned, the party should have the power to insist that his whole case should then be tried, in the first instance ere that interference should be exercised; for he might be able to alter and remove by other evidence a first impression which his own examination may have produced. It not unfrequently happens that a plaintiff or defendant knows less of his own case than his witnesses or others know of it, that he is incapable of putting it in its best light, and may make admissions contrary to fact, injuriously to his own interests. Hitherto I have adverted only to the examination of the party; I now refer to the cross examination proposed to be given at the preliminary stage of the cause. The Draft Act does not enunciate for what purpose this power is conferred, whether merely to enable one party to obtain information which he may want in order to enable him to state his own case so that the pleader may prepare it for him, or for the purpose of obtaining a retraction of or of throwing doubt and discredit on the opposite party's previous allegations, or for the purpose of evidence in an

after stage of the cause. In the first and third points of view, the power of cross examining would be used for the purpose of discovery; in the second point of view it seems inadmissible altogether except a cause is to have stages of hearing; for it is not provided that the Judge may make a decree except on admissions or at the trial, and it is an objectionable course to take evidence by stages. The power of cross examining is to be exercised through the Judge. The Judge then could not refuse to put any relevant question, which the party himself might insist on putting if he conducted the cross examination himself or by a professional agent. A cross examination can rarely be effectively exercised unless the cross examiner be previously informed of the facts on which his cross examination is to proceed. If the Judge be openly informed of these facts in the presence and hearing of the party to be cross examined the cross examination will generally fail against a man put upon his guard; and if it be not openly informed, but secretly, jealousies and distrust of his impartiality will be engendered. If he pursue his cross examination effectively he will be viewed by the party in the light of a cross examining council; if he pursue it otherwise, the party for whose benefit the cross examination is to proceed will be dissatisfied. The English Act steers clear of these difficulties. It leaves the averments of the party free, and gives them all the discovery they want by giving them the power to examine their adversary in the suit on the trial of it. If the power of cross examining be intended to be conferred for the purpose of discovery only, it should I think be limited in terms to those cases in which discovery may be had; for with the power to examine his opponent at the trial, and to give evidence himself, there can be no necessity for extending the right of the party to discovery from his adversary. I have already stated that I prefer the summary jurisdiction established by the English Act to the system of special pleading proposed to be established by the Draft Act. But if this latter be resolved upon, I think the parties should not be at liberty to demur after having pleaded. They may be allowed to move in arrest of judgment, and then the verdict will have its healing effect on any errors of statement. The Draft Act which confers the power of demurring after verdict, gives apparently to a demurrer in that stage the ordinary effect of a demurrer in its proper stage. I think the Draft Act not sufficiently explicit on the subject of assessors. Is it intended that the Governor General in Council should make Proclamations *from time to time*, annulling or varying in the whole or in part what he may have directed by a prior Proclamation? If intended, this should be clearly expressed. As the 13th Section now stands, the terms seem to import that the Governor General might in Council direct Assessors to be appointed *pro hac vice*, for any particular suit at any time pending. This if intended, seems to

me objectionable: but I think it cannot have been intended, though it is difficult to understand the words in any other sense. I have already on previous occasions expressed my preference of Jurors to Assessors. If the parties to be selected should be competent to exercise the duties prescribed for Assessors, they would be competent to discharge the proper functions of Jurors: and I am averse to a provision which might depreciate the institution of trial by Jury, where that mode of trial prevails as it has long done here in Criminal cases. There is no ground for complaining of the mode in which Jurors discharge their duties here; and I wish that the suitors in the Supreme Court possessed in civil actions the right to resort to a Jury of three or five persons in some mode similar to that provided by the English Act, which is in my opinion in this respect more in harmony with the spirit of the English Law than are the provisions in the Draft Act as to Assessors. The English Act leaves to the choice of the suitor whether he will have a Jury or not. I have already remarked on the system of pleading recommended. The 5th Clause of the 17th Section provides that "the defendant shall not be precluded from avoiding the plaintiff's right to a decree, &c.; by the statement of as *many matters as he believes to be true,*" I think that if any provisions of this kind be retained these words at least should not be retained "but, that they should be altered in some such manner as this as he does not know to be false." The words of qualification on the liberty of pleading both in this and the 4th Clause I understand to be *merely admonitory to the party of his duty*; and not as authorizing any examination into the reality of his knowledge, or sincerity of his belief. It is desirable however so to explain this, that no doubt may exist that they are merely admonitory. I should prefer the omission of the admonition altogether for reasons which will be stated afterwards. But if it be retained, I recommend the alteration I propose for these reasons. Whether a party is called upon to traverse, as it is termed in pleading, or to confess and avoid, he may equally be in this position that he may entertain strong doubts as to the truth of his own case, and yet ought not to be precluded from insisting upon it. Where parties act, as they now so frequently do, through the agency of others, or act for others in a representative character, or act, as they are often forced to do, on the information of others, it may very well happen, and does not unfrequently happen, that a party may doubt of the truth of his own case and even disbelieve it and yet be in error. I select as an illustration one of the commonest instances of a plea of confession and avoidance, a plea of payment. Let it be supposed that, that payment has been made through the instrumentality of an agent, a servant for instance, and that the payment is denied. The principal may erroneously disbelieve that his agent has paid: he

may give more credit to the statement of his creditor than of his own agent; and yet be quite wrong. In cases of an analogous kind, and where he has a claim over; he must try the question with one or the other, or submit; and of course he will try it in the majority of cases in the first instance. The test therefore in this case of confession and avoidance prescribed by the Draft Act; "a statement of a matter *he believes to be true*" would fail in its application as a test of the propriety of his pleading payment. It should obviously be a statement of a matter he does not *know* to be false. It may be said he may delegate his agent, to appear for him, but many objections may exist to such a course. But even if the words were substituted which I propose I should still object to their forming part of the Act as applied to traverses or denials. Is it proper for the Legislature in the existing state of the Law to admonish a party to a suit that he ought in no case to put the opposite party to prove (for that is the meaning of a traverse) that which he himself knows to be true? A purchaser *bonâ fide* for value without notice is protected from discovery, he is entitled and encouraged to stand on his possession. The most effectual protection of such a purchaser is often a failure of evidence to establish the title of a hostile claimant. It may be urged that this is immoral; but an innocent purchaser for value in possession has as strong a natural equity as any dispossessed former proprietor, and I think the Law of England which is favourable, but not favourable enough in my opinion, to such purchasers cannot in this respect be justly arraigned for immorality. It says in substance—Let such a possessor stand on his possession: Let him not be forced to make a discovery of the weakness of his title: Let the claimant establish a preferable one if he can but till that be done, let the possession prevail against a better right of which the evidence is not producible. Now if it be put forth as a legislative admonition that a man ought not to contest that which he knows to be true, it seems to me that the Law will be in conflict with itself; and that a man of a scrupulous conscience might be led to abandon the protection which a wise and benignant Law gives him. I think it is the duty of the Legislature at all events to give the fullest protection to every honest purchaser before it enacts such an admonition, and that it would be unwise to enact it in the existing state of the Law. It is to be observed also that this admonition appears to be directed in terms only against a defendant whereas it would be equally applicable in principle to the plaintiff also.

The 21st Section as to the specific performance of contracts is I think open to serious objection. In terms it enacts that a plaintiff may have in any suit on any contract a specific performance forced on him—his own and the Commissioners views of the plaintiff's interests may differ.

The Law now leaves him free to ask it by resorting to Equity or to abandon it for damages in a suit at Law in the cases in which he is entitled to it. I think the exigencies of society do not in the least require any extension of the power to decree specific performance. In most cases; were the power extended, the ability of the party to comply would become a substantive matter of contest, other disputes would arise, the interests of third parties would be brought into question and commitments for contempt against obstinate defendants be needlessly multiplied. Wherever an award of damages is an adequate and full compensation, as it is in the case of most contracts for the sale of, or relating to goods or the performance of works, services, &c., no necessity can exist for giving any other remedy; and the state of the Law on this point is not I believe a subject of complaint. It would certainly be inconvenient in one and the same place, to have a different rule prevailing as to the power of enforcing the specific performance of contracts. I have some doubts as to the propriety of an unlimited right of appeal. I doubt also whether advantage will result from giving a Small Cause Court jurisdiction over all causes of action. Theoretically I think this is right. My views as to the practical results (which may be mischievous) are not clear enough to justify me to myself in offering any objection here. It is properly a subject more fit for a Legislature than for a Judge to form an opinion on. The Supreme Court has jurisdiction in real actions; such actions are however never brought, and are in effect obsolete, and I can only account on this ground for the statute which abolished such actions in England not having been adopted here. In terms however the jurisdiction in such actions is given, to the proposed Court; and there is consequently an inconsistency in the jurisdiction Clauses, on the mode of ascertaining the value of lands in actions on a possessory right and on a mere right; this is my oversight and the framers of the Act are not answerable for it; It is easily corrected, and perhaps the simplest course would be to get rid of it by extending the Act abolishing real actions to this country.

I have, &c.,

(Signed) LAWRENCE PEEL.

Court House, March 30th 1847.

MINUTE BY THE HON. C. H. CAMERON.

Dated 23d June 1847.

I propose to consider the letters which the three Judges of the Supreme Court have favored us with on this subject in the inverse order of what seems to me their relative importance.

That of Sir John Grant does not appear to me to require a long examination.

I must acknowledge that his objections to the principles of our Act scarcely seem to me the result of a calm and deliberate view of the subject.

He makes also a great many objections to the wording of the Act and when we are preparing to pass it into Law, I will carefully consider those objections and correct the Draft when they may appear to be well founded. At present I will confine myself to giving explanations in a few cases in which Sir John has found fault with expressions which I think correct.

“A Court therefore deciding *according to equity and good conscience following the Law* must, says he, if the words have any meaning, decide by the *rules* of Courts of *Common Law* and can have no *equitable jurisdiction*. But I do not apprehend this to be the *intention*, and in a subsequent part of the Draft Act it is expressly declared not to be so. If Equity and Law be the same they must co-exist and cannot *one follow the other*, but must travel together. If they be different as little can *one follow the other* but they must take different roads to the same point. To these words in the Preamble it is difficult to assign any fixed and definite meaning.”

I confess that this doctrine surprises me a little because every Lawyer knows the maxim *æquitas sequitur legem*.

And every man who has paid any attention to the History of English Jurisprudence knows that it is the honest and sagacious application of that maxim by the English Chancellors to a long series of cases which has made Equity a most valuable and essential complement of Law in the English system, instead of being a mere copy of Law with all its defects, as must have been the case if they had understood the words in the sense which according to Sir John Grant they must bear, “if they have any meaning;” or instead of being the destruction of all Law whatever, as must have been the case if the same great Magistrates had agreed with Sir John Grant in asserting that, although this meaning is the only one that can be extracted from the words, it must still be rejected as not being consonant to the intention of those who framed the maxim, and the maxim itself be consequently treated as senseless and useless.

The words are in truth a short and general expression for a vast body of Jurisprudential doctrine. The way to explain them fully would be to illustrate them by the English Equity cases. And this is the way in which the Professional Commissioners of the New Court will interpret them when called upon to apply them in practice to the cases calling for decision. The unprofessional Commissioners will not be required to go through this difficult

process in the simple cases which will come before them. The words in question, as applied to such cases, are no more than a direction to do what they have been in the habit of doing in the Court of Requests.

Another instance in which Sir John Grant has greatly misapprehended the intention of the Act is the effect which he attributes to Section 11.

“ Thus if an action in the nature of an Ejectment be brought, he says, and one who defends as Landlord avers that the Lessor of the plaintiff is a Trustee for him the defendant, all the questions of it may be a complicated trust must be decided at one sitting by one unlearned Judge in a Court which has none of the machinery for investigating such a Trust and this where there may be many other *cestui que trusts* interested.”

Now there is not a word in the Act indicating that the Court must decide at one sitting. It cannot surely be necessary to say that a Court of Equity should give to each case as many different sittings as are necessary for the purpose of coming to a correct decision. Neither would such a case be heard by an unlearned Commissioner. The Commissioner who would hear it, would have exactly the same qualification as a Judge of “ the Court of the Queen established in the exercise of the highest and most valuable Prerogative of the Crown.” viz. the qualification of five years standing at the Bar. But the Court has none of the machinery, it is said, for investigating such a Trust. If by this is meant that the Court has no Officer to whom it can refer such questions as the Supreme Court refers to the Master in Equity. The reason of that is that we conceive all questions requiring the exercise of Judicial powers,

* In one of the most interesting and instructive books I have read for a long time (Lord Campbell's Lives of the Chancellors) there is the following anecdote of the great Chancellor Lord Nottingham, which illustrates this subject.

“ A case being mentioned to him in which he was told the Bill had been filed previous to the commencement of the Civil War, and had been heard and reheard before all the Lord Chancellors, Lord Keepers and Lord Commissioners of the Great Seal who had sat in Chancery ever since, he instantly op-
pointed a time for its being finally disposed of, and declared that he would rather sit on, five or six days, himself making inquiries and taking accounts, than it should again be referred to a Master, and continue the approbrium of the Court” vol. 3, p. 395.

We intend our Commissioners to do as a matter of duty, what Lord Nottingham here talks of doing *ex gratia*, except that (the taking accounts being a business which can really be done better and quicker by a professional accountant) we allow a reference of that kind.

should be decided by the Commissioner himself.* If it is objected that the professional Commissioners will be overburthened, the answer is that more Commissioners must be appointed. The number of Judges ought always to be regulated by the quantity of Judicial business to be performed. And I am of opinion that it is always better when the existing Judges are found to be too few for the business, to create new co-ordinate Judges who shall have the investigation and decision of entire suits, than to create a secondary class of Judges, like the Masters in Chancery, to

whom fragments of suits are referred.

The last supposed difficulty, viz. the want of the necessary parties, must, according to Sir John Grant, have one of two consequences. "One of two things, he says, must happen, either their rights must be adjudicated upon without their being heard or a foundation must be laid for as many writs as there are parties interested. And all this resulting from the institution and modelling of a Court for the speedy and cheap administration of justice."

If this means that separate actions must be brought against each of these parties, it is a mistake. Section 19* makes the necessary provision for summoning such parties. If it means only that each of the parties interested, however numerous they may be, must be summoned; I wish to know how it is possible to institute and model a Court so as to avoid that necessity.

* The Provision in Section 19, and the wording of the Section are borrowed from recommendations made to the Commissioners on Courts of Common Law by the late Lord Abinger, whom I reverence as a wise Law reformer, and whom Sir John Grant may perhaps think worth listening to.

Sir John Grant returns again in the latter part of his letter to the charge against Section 11. This second attack is directed against the manner in which its provisions are expressed.

"By Section 11, says he, it is enacted that the new Court shall *decide*—but it is no where said in what manner or by what means it is to *hear*, and it is there said that it shall decide according to the Law "to be" meaning "that would be" administered in the Supreme Court, but this rule is instantly annulled in the same sentence when it is provided that *in purely legal demands*, meaning I presume, that in the case of a purely legal demand on the part of a plaintiff, if the defendant shall allege an equitable defence, the new Court shall by its decree give the defendant the benefit of such defence upon the same principles of Equity as would be applied in the like case by the Supreme Court on its Equity side. But as the Supreme Court has no means of proceeding with a cause in which at one and the same time the plaintiff is insisting to enforce at Law a purely legal demand, and the defendant pleads a purely equitable defence in the same suit or action, it can afford no precedent to the new Court for its proceedings in such case—and no course of proceeding is pointed out by the Draft Act. The parties therefore and the Judge must be quite at sea. It seems to be forgotten that a correct, fixed and accurate course of proceeding is essential to the administration of Justice."

The wording of the Section is here more roughly handled than it probably would have been if its true authorship had been known. Sir Lawrence Peel has himself mentioned in an official communication, that this Section was altered by him; otherwise, I should not have thought it

right to notice the fact. The kind of criticism which Sir John Grant bestows upon it, is such as "the Government of the East India Company without any authority or advice, but those of its own Members in a small Legislative Council assembled" might perhaps reasonably expect when it ventures upon such high matter as Presidency Judicature. But I persuaded myself that a more deferential tone would have been adopted if Sir John Grant had been aware that though the sides of this "small Council," "the Government of the Corporation exercising the functions of a local Legislature," he was aiming blows at the Chief Justice of "the Court of the Queen, established in the exercise of the highest and most valuable Prerogative of the Crown."

The Section as it stands, being expressed from beginning to end in Sir Lawrence Peel's own words, I do not think, I need enter into any explanation or defence of them. But before the Act becomes Law, I will talk over the subject with him and make such changes in the expression as he may think desirable.

I turn now to Sir Henry Seton, who says "the Act may be considered,

1st. With a view to the administration of justice generally.

2nd. As a substitution for the Court of Requests."

"With respect to the 1st without entering again into the ample field of controversy suggested by the merits of the new system, and the confident anticipations of success with which it has been recommended, I cannot but think that the adoption of rival systems for the administration of justice (for rival they must be to the extent of the jurisdiction of the New Court beyond that of the Court of Requests) each having its allies in the Press, the Bar and the Profession generally, stimulated by professional and personal interests, would confer little benefit upon any community, and least of all upon a community like this, not without the elements of party spirit, but without that protection against the ill effects of it, which the strength and consistency of public opinion could alone afford."

I readily grant all that Sir Henry Seton here asks, nay I am prepared to grant more than he asks, and to admit that, putting out of sight the merits of our new Judicature, the adoption of rival systems for the administration of justice in one and the same place, with no other object than the rivalry itself, would not only confer little benefit upon any community, but would be a positive evil.

In truth, however, it is impossible to come to any practical decision upon the present question without taking into consideration the merits and demerits of the proposed plan of Judicature. If its merits are not sufficient to over-

balance the temporary inconvenience resulting from the co-existence of two rival systems till the free choice of the public has placed one of them in abeyance, then our proposition ought at once to be rejected.

Some of those who think the new system an improvement upon the Supreme Court, might perhaps recommend that the rivalry should be prevented by taking away jurisdiction from the latter to the requisite amount.

I am not of that opinion. There are examples in the history of English Jurisprudence, which I think justify the other course.

The Common Law mode of preventing waste was a writ of Estrepement. The Common Law mode of adjudicating upon a disputed account was an action of account.

When the Equitable remedies of injunction to stay waste, and Bill in Equity for an account, were invented; the Legislature, if it had felt quite sure that the public voice would have been so decidedly pronounced as it has in fact been, in favor of the new course of proceeding, would no doubt have been justified in abolishing the old. But in the inevitable absence of that certainty I think it was a prudent course to let the public choose between the two. The result has been the disuse of the legal remedies. Of course, I have not time to examine legal history for the purpose of ascertaining whether any heartburnings were excited before this change was finally brought about. Speaking from the recollection of former studies, I should say that nothing resulted in the shape of evil of sufficient magnitude to outweigh the advantage of letting the suitors and their legal advisers decide the matter for themselves. In another instance, indeed, that of the rivalry between bills for specific performances of contracts and actions of damages for the breach of them, I do remember that bitter indignation was excited in the breasts of those to whom it belonged to administer the latter kind of remedy. But the cause of this indignation was not that Equity pretended to give a concurrent remedy, but that it pretended to give a remedy inconsistent with English principles of Jurisprudence. An Englishman, it was thought, ought not to be held bound simply to do what he has contracted to do, but only in the alternative to do it or pay damages. And the antagonist notion that he is bound in conscience to perform what he has undertaken, and may be compelled in a Court of Conscience to do so, was looked upon as a foreign invention imported by Romish Ecclesiastics.

With regard to the great conflict between Law and Equity in England considered as a whole, (which possibly Sir Henry Seton had in his mind) it is not, I think, a case fairly in point. For the Chancellors went far beyond the offer of concurrent remedies, and assumed the right of

prohibiting suitors from proceeding in the Courts of Law, and of depriving those who had so proceeded of the fruits of the judgments they had obtained. Here was a manifest arrogation of superiority, in which it could scarcely have been expected that the Courts of Law should tamely acquiesce.

How different is the position of our Court. It humbles itself before the Supreme Court. It offers nothing to the suitor, but greater cheapness, greater simplicity, greater facility of access' Law and Equity in the same suit instead of in two different ones, decision invariably upon the merits, and more effectual means of eviscerating (to use Blackstone's phrase) the very truth of the case. It offers these things, but no one is compelled to prefer them to the accustomed remedies in the Supreme Court, not even by the common provision which deprives a suitor of costs if he harasses his adversary by suing him in a more expensive, when he might have sued him in a less expensive Court.

Finally every thing done in the new Court will be subject to appeal. And that appeal lies to the Supreme Court.

I beg distinctly to repeat my admission that the setting up a Court in rivalry to the jurisdiction of the Supreme Court up to the pecuniary limit of 1000 Rupees, can only be justified by shewing merits in the new Judicature. If we had proposed such a measure as a natural Philosopher might make an experiment, merely for the purpose of seeing what would happen in the new circumstances, we should, in my opinion, be without defence.

Considering our Draft in his 2d point of view, Sir Henry observes—"With respect to the 2d I should not have been averse to see an experiment from which so much is anticipated tried on a limited scale; so as to be capable of being extended in operation or abandoned, according to the result of the trial."

"But I can scarcely think such an experiment justifiable since the passing of the English Act for establishing local Courts (9 and 10 Vict. C. 95) which appears to me to furnish a model for Courts of this description preferable in every respect to that proposed."

"In illustration of my opinion, I would only refer to the mode of proceeding substituted for formal pleadings; combining clearness and certainty with the absence of all technicality, the optional recourse to a jury limited in number but retaining its ordinary functions; and the provisions for the execution of its judgments, at the least possible sacrifice of personal liberty; a consideration of the highest importance, but apparently overlooked in the proposed Act."

With regard to the last mentioned improvements in the execution of judgments, as far as I am concerned, I

shall most thankfully adopt them, and, with the consent of my colleagues, shall insert them in our Act before it is passed. The Law Commission had not yet directed its attention to that part of the subject, and therefore left the law of executions untouched. We did not at all mean that the Government or the public should infer that we thought the law of execution unsusceptible of improvement.

In other respects I am not prepared to substitute the provisions of the statute in question for those of our draft. I cannot part with our provisions for the mutual examination of the parties in the presence of the Judge at the beginning of the suit. I cannot part with our provisions for deciding equitable matters that may emerge in the course of an action at law, and in this I look to have the concurrence of the Chief Justice.

Lastly, I consider the association of the public in the administration of justice to be of far too great importance in this country, to be left to the option of the parties. Considering the advanced civilization of England and the effectual publicity of all judicial proceedings, I believe it to be comparatively of little importance, whether trials take place with or without a Jury, or whether the verdict of the Jury is to decide the matter of fact or only to inform the conscience of the Court. The Jury has done its work in England. It has made the Judges upright and given the people a knowledge of their legal rights. If it is now necessary at all, it is necessary only to prevent a relapse from the high position already attained. But in India I look upon the association of the public as one of the most effectual means of improving the judicature of the country, and of giving to the people that degree of legal education which it is possible to communicate without a special course of instruction. And here I am ready to admit that such an institution is far less needed, if needed at all, in Calcutta than in the Mofussil, and accordingly when I recommend it for our Court, I am looking at that Court rather in the character of a model to be imitated in the process of improving the Mofussil Judicatures, than in that of dispenser of justice to the inhabitants of the Metropolis.

Sir Henry after recommending the Statute 9 and 10 Victoria C. 95 for our adoption on this occasion, goes on to generalize in the same spirit, as follows :

“ In accordance with this view I may perhaps be permitted to state my opinion generally, which has been confirmed by my experience in this country, that the advancement of its institutions will be best effected, not by any effort to construct them for itself, but by the adoption of the improvements which are rapidly taking place in the Law of England, with such modifications as may be required.”

“ The more we reflect upon the limited resources of the Local Legislature for the purposes of Law reform (assuming the co-operation of the Judges of the Supreme Court) the more we shall be convinced of its inadequacy to the gigantic task of remodelling the institutions of an Empire, and that we must be content to follow rather than to lead in the march of improvement, more especially where (as in the measure proposed) we have the intelligence of England for our guide.”

This last paragraph does indeed suggest grave matter for consideration. But I do not think that we are called upon to consider it. For this reason, that it has already been decided by authority to which we must all bow. I cannot but think that if Sir Henry Seton himself were carefully to read over the provisions of the Charter Act beginning with Section 43 and ending with Section 55 he would convince himself that the objects to which in his opinion we ought to confine ourselves, are not the objects which Parliament has marked out for us; and that however much we may reflect “ upon the limited resources of the local Legislature for the purposes of Law reform,” it is impossible to escape from the conclusion that Parliament has commanded us to apply those limited resources to a much higher and more extensive purpose than he, not advertent I presume to the statute, would recommend us to pursue.

I prize Sir Henry Seton’s advice very highly.—I have often asked it, have never been refused, and have very rarely acted in opposition to it. But upon this occasion it does not seem to me a safe guide.

Looking at this very question of the Establishment of a Subordinate Civil Court for Calcutta, if those to whom I am responsible, were to ask me how it happens that I as Law Commissioner and Fourth Member of Council, have not yet accomplished a measure which for eleven years has been loudly and repeatedly called for by the Commissioners of the Court of Requests, and by the public of Calcutta, I believe that I should be able to give an answer which would protect me from censure.

But if I had nothing better to allege in my defence than that I knew the question was under consideration in England, and that I had waited eleven years until a model was provided for me to copy from; I should expect, and I am sure I should deserve, a stern admonition to look more carefully in future at the Act of Parliament in which the duties imposed upon me are defined.

Sir L. Peel says—“ I have not heard any complaints of the mode of procedure which has hitherto prevailed in the Court of Requests. It is of a summary character and very little different from that established by the 9th and 10th Victoria. The Draft Act proposes to establish the system

of special pleading, and to make the Commissioners the pleaders, who shall from the oral or written statements of the parties prepare their respective pleadings. It is proposed to apply this mode of procedure to all demands. Many causes in the Court of Requests are for very trifling sums, and causes of this kind would be equally numerous in the proposed Court. The summary procedure which has prevailed, is in my opinion better calculated for causes of this description than a system of special pleading; nor do I suppose that it will be found unsuited to such cases as will be tried in the Subordinate Court in general."

It really seems to me that in order to satisfy the Governor General and my Colleagues at Calcutta, that we ought to preserve the principles of special pleading in the new Court, and indeed in every Court which we may ever be called upon to establish, it will be sufficient to recall to their recollection Sir Lawrence Peel's own view of it.

"It throws off (the Chief Justice truly says) the admitted facts, brings prominently forward the disputed facts, prevents any uncertainty in either side of the facts on which either side relies and tends to produce speediness and certainty of decision and cheapness of trial." Appendix to the Report of the Law Commission in Judicature in the Presidency Towns, p. xliv.

Surely we ought not hastily to reject a judicial instrument which presents such advantages. But perhaps it may be thought that in spite of these great advantages we must on the present occasion reject the system they belong to, because it is too refined and difficult to be practised by any but Lawyers of the highest eminence. Let us hear Sir Lawrence Peel again. His very next sentence is "it is very much the mode in which any sensible man in any domestic forum would apply himself to the settlement of any dispute referred to him by the litigants and has its origin in simple times, when a simple and natural mode of procedure was not unlikely to prevail."

It appears then upon Sir Lawrence Peel's own shewing, that not only are the advantages of special pleading so great that we, as a Legislature, ought to desire them in general for every Court under our authority, but also that they are excellently well adapted to a Court such as we are now about to establish, that is to say, a Court which is intended to resemble a domestic forum as closely as is consistent with the notion of deciding not according to the *arbitrium boni viri*, but according to pre-established rules of Law and Equity.

I knew that Sir Lawrence was not satisfied with the procedure recommended by the Law Commission, and sanctioned by the Council of India. But I did not foresee, and I now see with surprise, that he recommends the ex-

clusion from such a Court as ours, of a method of bringing the parties to issue, which in his own opinion is very much the mode in which any sensible man in any domestic forum, would apply himself to the settlement of any dispute referred to him by the litigants. I wish it to be distinctly understood, however, that I am not merely arguing *ad hominem* against Sir Lawrence Peel, I do not merely use his words in answer to his own objections. I in my conscience believe that they express the truth, and, if Sir Lawrence Peel will allow me to borrow them, I put them forward as the expression of my own opinions which I am ready to maintain against all antagonists.

I will merely guard myself by observing that I understand the Chief Justice to be speaking (and at any rate I am speaking) of the rules for bringing parties to distinct issues of Law and Fact.

I adopt likewise as expressing my own views the sentences which immediately follow what I have quoted above from Sir Lawrence Peel's "observations."

"The technicalities, he says, are of after growth and not many of them are necessary to be retained. The nicety of construction of the language of written pleadings is the cause of frequent embarrassment and expence, and may be remedied: and it seems to be practicable to retain all the substantial part of the system of special pleading with all its acknowledged advantages, and at the same time to discard the material inconveniences to which it has become subject."

Now this is precisely the object which the Law Commission was aiming at in the outline of pleading which they gave in the Draft Act under consideration, and though I am not sanguine enough to suppose that they have accomplished what they were aiming at, I have no doubt whatever that it may be accomplished by the assistance of such men as Sir Lawrence Peel, and by carefully watching the practical results of the system when it is brought into operation under the inspection of the Supreme Court Judges and the Council of India.

When Sir Lawrence Peel says "the summary procedure which has prevailed (that is in the Court of Requests) is in my opinion better calculated for causes of this description (that is causes for trifling sums) than a system of special pleading," it appears to me that he was unconsciously thinking not of the essential qualities of special pleading, which are such as necessarily adapt it to every case, however complicated or however simple, but of the arrangements with which special pleading is accidentally associated in the English system.

I do not dispute that if a plaintiff has a claim for a trifling sum founded upon a simple state of facts, and you

make that plaintiff go to an Attorney, who goes to a Barrister, and gets a plaint drawn, and then has it served upon the defendant, who is entitled to a fixed number of days before he pleads, and that if all this is to be entered on the record by an Officer of the Court, fees being paid at each step to Attorneys, Barristers and Officers, I do not dispute, I say, that if all this is to take place, the plaintiff had better put up with the loss of his money than go through it.

But all this is not special pleading, nor has it any necessary connection with special pleading.

To illustrate by a comparison,—The Judge is required in the English system after the evidence has been delivered at the trial, to sum it up to the Jury to separate the questions of law from the questions of fact, to balance the contradictory evidence for and against the disputed facts, to observe upon all the circumstances affecting the credibility of each witness and the authenticity of each document, and to refute the sophisms which have been addressed to the Jury by the Counsel on either side.

The operation, so described, appears to be of vast complicity and difficulty, and might be hastily pronounced unsuited to an action for the price of a seer of milk. But it is not so. The complicity and difficulty may indeed be such as to tax the Judge's faculties to the very highest degree, so that the successful performance of the task seems to the bystanders an effort of superhuman intelligence. But the difficulty and complicity of the operation depend entirely upon the difficulty and complicity of the case to be operated upon.

The Judge despatches a simple case in two sentences, and so it will be with special pleading when performed by the Judge upon the *vivâ voce* evidence of the parties.

When, therefore, it is said that procedure well adapted to complicated cases is, on that very account, ill adapted to simple cases; it must always be remembered that the remark is true only of rigid inelastic procedure, such as the intervention of a fixed number of days between the several steps of the cause, and that it has no application to procedure in which the discretion of the Judge metes out as much or as little of the thing required as suits the exigencies of each particular case. And it is one of the many inestimable advantages of pleading framed upon the *vivâ voce* statements of the parties, that if (as often happens) there is really nothing in dispute between them, the whole suit may be concluded in five minutes.

Sir L. Peel says,—“ The examination of the parties with a view to the preparation of their pleadings by the Judge is not clearly defined and limited by the Draft Act. It is not expressed whether the intention is that the Judge is to decide *on the effect of the evidence* as elicited by such examination and to prepare the statements on his own impres-

sion of that effect contrary to the wish of the parties whose allegations may be in course of preparation, in which case the Judge would decide then on the facts though merely engaged in reducing into form the allegations of the parties; or whether the intention is merely that the examination shall be only for the purpose of bringing out clearly and fully the allegations of the parties, as they would have them."

To the first branch of the alternative here put by Sir L. Peel, I can answer at once that such was not the intention of the Law Commission. The second branch requires that I should enter into an explanation.

"Bringing out clearly and fully the allegations of the parties, *as they would have them*" is scarcely a sufficient statement of our purpose. For each party would have his allegations such as to cast the greatest possible burthen of proof upon his antagonist, and generally to embarrass his antagonist in every way that professional ingenuity can devise.

I will illustrate by a passage in Mr. Serjeant Stephens' Treatise on pleading.

"The use of several pleas (though presumably intended by the Statute, to be allowed only where there are really several grounds of defence) is in practise carried much further. For it was soon found that when there was a matter of defence by way of special plea, *it was generally expedient to plead that matter in company with the general issue whether there was any real ground for denying the declaration or not*; because the effect of this plea is to put the plaintiff to the proof of his declaration before it can become necessary for the defendant to establish his special plea; *and thus the defendant has the chance of succeeding, not only on the strength of his own case, but by the failure of the plaintiff's proof.*"

This is a specimen of "allegations as the party would have them," and as he actually has them under the system of written pleadings drawn in private by his Attorney and Pleader. He states his case perhaps truly, to the Attorney, and the Attorney repeats it to the Pleader. But they both know that the law does not even profess to forbid much less to punish such a proceeding, and it is not for them to deprive their client of an advantage which the law allows him. As for the opposite party, his interests are no concern of theirs, it is for his Attorney and his Pleader to look to them.

But surely such a proceeding would assume a very different aspect when it takes place under the eye of the impartial Judge who is bound to consider equally the interests of both parties, but so far, and no farther than justice demands.

The defendant comes before one of our Commissioners and in answer to questions put by the plaintiff through the Court, admits all the facts stated in the plaint, and then defends himself by matter which the Commissioner embodies in a special plea.

But then the defendant thus addresses the Commissioner—"I have answered truly all the questions put to me, and could not deny any of the allegations in the plaint. But notwithstanding that, it is my wish to take the chance of the plaintiffs failing to prove them at the trial. If I were sued in the Supreme Court, I should have that advantage as a matter of course, am I in this inferior Court to be punished by the loss of it for having told the truth?"

The Commissioner, according to our intention, would answer the defendant in some such terms as these.

"If you had spoken falsely and I had seen reason to suspect you were doing so, it would have been my duty to warn you of the immorality of such a course, and of the punishment and the disgrace which you would incur if the falsehood were brought home to you. You have spoken the truth, however, and I highly commend you for it. But in doing so you have proved the plaintiff's allegations, and it would be gross injustice to lay upon him the burthen of proving them over again at the trial, with the risque of failure from defect of evidence. I cannot, therefore, put your denial upon the record; on the contrary I must enter your confession, and all that now remains for enquiry is the truth or the sufficiency of your special plea."

This is the course which, according to our intention, the Commissioner would follow where the result of the mutual examination of the parties shews that there is really nothing upon which they are at issue.

But when the result of that mutual examination is different, and shews that the parties really are at issue upon some matter of fact, the Commissioner would not attempt to decide which of them is in the right, but would enter their contradictory allegations on the record, and thus frame an issue of fact to be decided at the trial. And in this sense it would be correct to say that the object of the examination is bringing out clearly and fully the allegations of the parties as they would have them.

Reverting now to the other sense of the expression, I would observe, that the interference of the Court to prevent the parties from putting their allegations on the record *as they would have them*, is not unknown in English practice. I may take this occasion to remark generally that in the multifarious judicatures and methods of procedure in use in England, the germ at least of every thing good is to be found. And accordingly the principle on which the Law Commission proceeded in devising a new

Court for the administration of English Law and Equity, was to search for the true principle in the English (I cannot say system but) congeries of systems, and having found it, to give it the utmost extent justified by utility and convenience. I will shew at a later stage of this Minute other examples of this method thus followed by the Law Commission.

By the Common Law a defendant, however many answers he might have to a plaintiff's demand, was only permitted to rely upon one of them, and compelled to abandon all the rest. This was a manifest sacrifice of justice to simplicity. It continued, however, to be esteemed the perfection of reason down to the reign of Queen Ann, when a real Law reformer arose in the person of Lord Somers. He succeeded in procuring for defendants the privilege of stating and proving as many defences as their cases really admit of. But he never intended to run into the opposite extreme, and to let defendants put defences on the record with no other object than to harass the plaintiff. He therefore provided that defendants should only exercise the privilege "*with leave of the Court.*"

This important qualification became in the Court of King's Bench almost a dead letter. The motion for leave became a motion of course and was granted without any examination of the pleas intended to be pleaded. In the Court of Common Pleas the discretion intended by the Statute seems to have been always kept in view (though perhaps very sparingly exercised) for in that Court the motion is not for leave, &c., but for a rule to shew cause why the defendant should not have leave. But though the Court of King's Bench always grant the rule for leave in the first instance without examination, they will afterwards discharge that rule if upon application by the plaintiff it is shewn that an improper use has been made of the indulgence.

I shall insert here the case of *Rama Chitty v. Hume*, for it is not long, and it is very illustrative of the matter in hand. It shews clearly that it is not always good that the allegations should be as the parties would have them, and also that the Judges of the King's Bench lamented that the practice of their Court was not so favorable to the exercise of that salutary discretion conferred by the Statute, as that of the Common Pleas.

" Rama Chitty against Hume."

"A motion was made in the last term to discharge a rule before obtained by the defendant in the common form for pleading double; for the purpose, as it was stated, of driving him to make an election of one or other of his pleas. It was an action brought some time ago on a bond for a large sum of money executed by the defendant in the East Indies, where the money was advanced in 1798. The

defendant had first craved Oyer of the bond, which was endeavoured to be resisted by the plaintiff, on the ground that the bond was in the East Indies, and that great delay would be occasioned by giving Oyer of the original; and therefore he desired of the Court to suffer a sworn copy to be given in Oyer; but as they thought that could not be done, the plaintiff was obliged to send to the East Indies for the original; and a considerable delay took place in consequence of it. After Oyer was given, the defendant, under the rule to plead double, pleaded non est factum, solvit ad diem, and solvit post diem: for discharging which the present rule was obtained; which was supported by an affidavit that the defendant had made payments on account of the bond, subsequent to his return to this country from the East Indies, long after the bond was due, and within a short time before the action was brought."

The Attorney General now stated, on the part of the plaintiff, that though in ordinary cases the Court might suffer these pleas to stand together; yet it being obvious that they were in themselves inconsistent; and as great delay had already intervened since the action was brought, the Court who had a discretion vested in them by the Statute to allow a defendant to plead double, which without their leave he had no right to do, would prevent him from making a vexatious and oppressive use of that permission, against the manifest justice of the case. That it appeared by the affidavit that the witness to the bond was in the East Indies, and if the defendant stood upon his first plea of non est factum, it would be necessary for the plaintiff to apply for a mandamus to examine the witness there, and the defendant would gain the benefit of so much longer delay: but in that case it seemed reasonable not to suffer the other pleas to stand, and therefore he suggested that the defendant should be required to elect whether he would stand on the plea of non est factum, or on the two other pleas of payment at and after the day."

"Holroyd opposed the rule on the general ground, that there was no sufficient circumstance in this case to take it out of the common course of this Court, which allowed the practice of pleading pleas of this description together as a matter of course in the first instance, without entering into an examination of their consistency, as is done by the Court of Common Pleas upon a rule to shew cause in the first instance: though he admitted that this Court would interfere to correct an improper use of the leave to plead double, if a special and strong case were made out."

"But the Court after some consideration, said that though the course of this Court, as to granting leave to plead double, was different from that of C. B. where it

was necessary to obtain the special leave of that Court in the first instance to plead several matters (a practice which Grose J. observed was more convenient, and Bayley J. said was in the end less expensive, than that which prevailed in this Court,) yet this Court they said, would under special circumstances, afterwards take into consideration, in the mode now adopted, the propriety of pleading the several matters pleaded. And they thought that under all the circumstances of this case, it was a proper occasion for the Court to interfere and put the defendant to his election, whether he would stand on the non est factum, or on his pleas of payment; one of which latter at least, the plea of payment at the day, was disproved by his own acts sworn to in the plaintiff's affidavit: and though the defendant was now in England he had not denied the matters of that affidavit. In the mean time they made the present rule absolute." 13 *East's Reports*, 255.

The Court of King's Bench, it will be observed, did not proceed merely on the ground that the pleas as they stood on the record were inconsistent with one another. But also on the ground that one of the pleas was inconsistent with evidence given by the plaintiff and not contradicted by the defendant. The Court of King's Bench did exactly what our Court would do, except that it did not interfere to prevent, but only to stop the course of the mischief; and that it proceeded upon the worst, instead of upon the best kind of evidence.

Now, if the discretion exercised in this case by the Court of King's Bench, is fit to be exercised at all, there can be no reasonable ground for confining it to the defendant's pleas, though we see the historical ground on which it has been so confined in English Law. We therefore have extended it to all the allegations of both parties to the suit.

It seems perfectly clear to me that the controul which impartial justice requires to be thus exercised over the pleaders, can be in no way so beneficially exercised as when they are both present in Court and able to give at the moment all the explanations required, or to suggest that further time should be allowed for obtaining any information which may be deficient.

It also seems to me perfectly clear that this important discretion should be vested in the Court and not in any subordinate officer. I think Lord Somers was quite right when he persuaded Parliament to enact that the several matters should be pleaded with leave of *the Court*, and not with leave of the Master or the Prothonotary. But here again I have the misfortune of finding myself in opposition to Sir Lawrence Peel.

For he says—

“ If the system of special pleading recommended, be established, it would be right in my opinion that there should be a pleading Commissioner or pleading Commissioners or some Officer or Officers of the Court whose province it should be to prepare all the pleadings in all the causes. This latter plan is adopted by the English Act; *for the Clerk in Court* is to prepare the plaint and receive notices of defence, and the Judge under that plan comes with an unbiassed mind to the trial.”

I am sensible that this last would be a damaging remark if it were well founded. The idea of a Judge coming to the trial with a biassed mind rouses the sentiment of indignation. But I think I shall be able to shew that the remark is not well founded, and that it rests upon a fallacy. The fallacy I mean is that of not distinguishing between a legitimate and an illegitimate bias, or (if the word bias is incurably tainted) of not distinguishing between a legitimate inclination of opinion, and a bias.

The Judge is bound to decide “ *secundum allegata et probata*,” according as it is alleged and tried, to use the old English version* of the Latin.

* St. Germain's if I recollect rightly.

If he acquires any knowledge of the case from any source other than the allegations and the proofs, and suffers such knowledge to influence his opinion, he has a bias, an illegitimate inclination of opinion, and is not fit to decide the case. But any knowledge which he has acquired while sitting in public on the judgment seat, from the right sources and in the right manner, (among which are unquestionably the allegations and examinations of the parties themselves) not only does not render him less fit, but renders him more fit to pronounce a just decree. Even if the bias is one to which the Judge ought not ultimately to yield; still it is not to be dismissed from his mind (like a bias derived from common rumour or from pamphlets and newspapers) but to be carefully kept in mind as one of the elements from which a correct decision will result.

Suppose a trial to last more than one day. The witnesses produced by the plaintiff on the first day, have grossly prevaricated, a document which he has produced, is of such a nature that the Judge has ordered it to be impounded. The Judge comes into Court at the beginning of the second day with a strong bias on his mind. No man will say that is a sufficient reason why another Judge free from bias, should be appointed to hear the rest of the case and pronounce the judgment. No man will say that the biassed Judge is not, even by reason of his bias, the fittest man in the world to do justice between the

parties—and I can discover no distinction in reason between the bias of such a Judge and that which one of our Commissioners may have received from the prevarications of one of the parties at the pleading. True, the bias derived from hearing the pleadings may by possibility be a wrong one. But so may the bias derived from the first day of the trial.

Sir Lawrence observes that it is an objectionable course to take evidence by stages. I admit that the more evidence you can collect at one stage the better. But I can by no means admit that a very trustworthy and valuable sort of evidence is to be rejected, because it is presented to the Court at a stage which is necessarily antecedent to the trial. In the English system the Jury, being a body which is only collected together for the occasion and which cannot without extreme inconvenience be kept together for a long time, it is a matter of absolute necessity that all the evidence which they are to hear *vivâ voce*, should be presented at one sitting, or, at least, at sittings adjourned from day to day. But even in Jury trial the admissions which the parties make in their pleadings, and the evidence of witnesses taken by commission at a different time and place from those of the trial, are taken into consideration. In all such cases the true question is this, does the inconvenience of taking evidence in the absence of the Jury preponderate or does it not, over the inconvenience of bringing the evidence before the Jury *vivâ voce* and putting off the trial till that can be done?

I observe in Sir Lawrence Peel's views an apprehension of the dissatisfaction of the parties. I cannot persuade myself that this is a just ground for rejecting any arrangement otherwise beneficial.

Generally speaking the party who loses or who apprehends that he is going to lose the cause, must be dissatisfied with the Judge. This evil is inherent in the very nature of judicature. If you try to extirpate it you pull down Courts of Justice upon your head.

In speaking of the cross examination of the parties being conducted through the Commissioner, Sir Lawrence says "If he pursue his cross examination effectively he will be viewed by the party in the light of a cross examining Counsel; if he pursue it otherwise the party for whose benefit the cross examination is to proceed, will be dissatisfied."

I do not dispute the truth of this, but I deny the consequence the Chief Justice would draw from it.

Suppose that I were now proposing for the first time, as what I considered a useful innovation, that the Judge should sum up to the Jury; Sir Lawrence Peel might meet me with the same argument.

“ If (he might urge) the Judge makes a cogent speech to the Jury against one of the parties, and answers the arguments of his Counsel, he will be viewed by that party in the light of a Counsel for his adversary, if he does not make such a speech when the justice of the case calls for it, the adversary will be dissatisfied.”

It would be impossible to deny this even *a priori*—and every day’s experience proves the truth of it. Must we therefore stop the mouth of the Judge and insist that the Jury shall be left to weigh the conflicting evidence and the conflicting arguments of Counsel as they best can?

Surely not. Let the Judge do whatever is conducive to justice. In the long run he will have the voice of the impartial public with him. But it is visionary to hope that the Judicial office can be so performed as to satisfy both plaintiff and defendant.

I fully admit that we ought not to heap invidious duties upon the Judge, if they are not such as really do require the impartial judicial mind for their satisfactory performance. But I feel no doubt that the Judge ought to undertake all duties of that description, disregarding the prejudiced hostility of the party who is sure to be against reason because reason is against him.

On the next two points noticed in Sir Lawrence Peel’s letter, I have merely to explain the meaning of the Law Commission. He says “ I think the parties should not be at liberty to demur after having pleaded.”

By the form of expression used in the Draft, we did not mean that the demurrer should take place at a later stage of the suit. We meant only that if a party has good ground for denying both the truth and the sufficiency in Law of his adversary’s pleading, he should be allowed to do both.

I do not suppose Sir Lawrence Peel wishes to retain that rule of English pleading (one of those in which justice is sacrificed to simplicity) which compels a party to take his choice whether he will plead or demur to any given matter, and I shall be happy in consultation with him to correct the phraseology of the Draft.

So, with regard to the Jury we did not mean that the Governor General in Council should have power to direct them to be appointed *pro hac vice*, for any particular suit at any time pending, we merely meant that he should have power to say in what classes of cases they should be appointed, as, for example, that they should be appointed whenever there are damages to be assessed.

Upon the important question what effect is to be attributed to the verdict, I shall touch in a later part of this Minute, and I beg to refer to the Report of the Law Com-

* Printed as an Appendix to the Report on Judicature in the Straits Settlements.

mission on a Subordinate Criminal Court,* where arguments will be found, most of which are applicable *a fortiori* to Civil Juries.

For the test of confession and avoidance prescribed by the Draft, "a Statement of a matter *he believes to be true*" the Chief Justice would substitute "a Statement of a matter *he does not know to be false*."

I believe that we erred in one direction, but I am not quite satisfied that the Chief Justice's correction does not err in the opposite direction.

I am, however, really weary of controversy and will abstain from any upon this point, not doubting that an expression may be found in which we can both agree.

Upon the next point also, the protection of a purchaser *bonâ fide*, for value, without notice, from discovery; I am willing to adopt Sir Lawrence Peel's suggestion. But only as a provisional arrangement till the real remedy which the case calls for, viz. the amendment of the substantive Law regulating the rights of such purchasers, can be applied.

If such a purchaser ought to be protected against the original owner of that which he has purchased (and I admit that he ought) whether should the Law say to him "Protect yourself by concealing the truth," or "Tell the truth and the Law shall protect you"?

Sir Lawrence Peel says "The 21st Section as to the specific performance of contracts is, I think, open to serious objection. In terms it enacts that a plaintiff may have in any suit on any contract a specific performance forced on him." And he goes on to argue that the option which the party now has by choosing between Law and Equity, should be left to him.

I will yield the point, and will no farther defend the provision in the Draft than by mentioning that I took it *verbatim* (except where the usual phraseology of the Act required that unimportant changes of expression should be made) from Lord Abinger's 6th suggestion to the Commissioners on Courts of Common Law, 1st Report, Appendix 656.

I was delighted to take refuge under the authority of a man whom I myself reverence as a most enlightened Law Reformer, and to whom my adversaries cannot refuse the respect which is due to the greatest practical Lawyer, the most successful advocate, both in addressing the Jury and in arguing before the Court, that has appeared in our days.

I believe it will be necessary to add a provision to the Section to the effect that, in suits in the nature of an ejectment, when the defence is an equitable title arising out of a contract made by the plaintiff to lease or convey the land to the defendant, the Commissioner may decree specific

performance of the contract if the circumstances justify that course.

Sir Lawrence Peel concludes by pointing out an oversight of his own in one of the Sections which he was so good as to furnish. I shall be ready to correct the Section in the same thankful spirit as I originally received it in.

I now seem to myself to have sufficiently answered all the objections made by the three Judges of the Supreme Court to the principles of the Draft Act, I have gratefully accepted a suggested addition borrowed from the late Statute the 9th and 10th Victoria C. 95 and several amendments of detail.

And here I would bring this long Minute to a close, were it not that the principles on which the pleading is to be conducted and those by which the effect given to the verdict of the Jury is to be determined, have not yet been developed in a systematic manner.

The Law Commission has, I think, shewn that the arguments which have been sometimes thought conclusive against a harmonious administration of Law and Equity by the same Court, owe their weight only to the great names associated with them, and moreover upon this point, I am happy to believe that there is no difference of opinion between the Chief Justice and ourselves.

But upon the two other principal matters involved in this Draft the Law Commission has only (in its Report of 15th February 1844) announced its intention to report. And, since it is very doubtful whether that intention can ever be fulfilled, I wish to take this opportunity of supplying the deficiency. In doing so, I am fully sensible of the disadvantage I shall lie under in not having the assistance of those from whom I received so much when writing in my capacity of President of the Law Commission.

Some time has elapsed since I circulated this unfinished Minute amongst my colleagues. In the mean time I have been attacked by a complaint in my eyes, which has unfortunately prevented me from reading and writing as much as would have been necessary to enable me to complete what I have to say upon pleading and upon the Jury in time for the next Steamer. I therefore put my Minute upon record in this its unfinished state, only respectfully requesting that the Home Authorities will not

make up their minds *against* the provisions of the Draft Act respecting pleading and the Jury until I am able to submit the sequel of this Minute to their consideration.

(Sd.) C. H. CAMERON.

Calcutta, June 23d 1847.

P. S. June 25th. Yesterday Sir Erskine Perry's letter of the 16th May, addressed to this Government, reached me. I have read it with the greatest satisfaction, and speaking from one perusal of it, I should say, that he and I are substantially agreed upon all the questions he has discussed. I would request those who read the Appendix in which he has treated of English pleading to bear in mind that there is a clear distinction between the rules of special pleading which compel the parties to rest their case upon one single issue, and the rules which have for their object the singleness and distinctness of each of the issues which the case really involves.

When Sir Erskine Perry's Appendix on pleading is read with advertence to that distinction, I believe that there will be no difference between him and me but what is merely verbal. I believe that he will be found to approve with me of what I call special pleading, and that I disapprove with him of what he calls by that name.

This Appendix of his will be a most valuable help to me in finishing my own Minute on pleading.

(Sd.) C. H. CAMERON.

MINUTE BY THE HON'BLE SIR T. H. MADDOCK, KT.

Dated 10th June 1847.

I have perused the letters of the Judges of the Supreme Court at Calcutta, and the observations which they have elicited from the Fourth Ordinary Member of Council, and having given to those documents and to the letter of Sir Erskine Perry of Bombay, a careful consideration, I am of opinion that we may considerably amend our Draft Act for establishing a Court of Subordinate Jurisdiction in the City of Calcutta, and I am ready to consider the suggestions of the learned Judges which have this object in view.

If I had been aware of the existence in the Supreme Court at Bombay of an institution well calculated to meet the wants of society for the easy and cheap administration of justice in small causes, and had been aware of the readiness of the Judges of that Court to extend the benefits of that institution so as to provide a cheap and natural mode of procedure in the same class of cases as that to which our Draft Act relates, I should have been disposed before resolving on the establishing of a new Court entirely distinct from the Supreme Court, to have consulted the Chief

Justice Sir L. Peel, and the other Judges of the Calcutta Court, in order to ascertain their sentiments as to the expediency of their adopting a measure similar to that which has been approved at Bombay in preference to creating a new Court such as that contemplated in our Draft Act.

But we have now advanced so far in our progress towards the establishment of a separate Court that I think we should proceed with that project taking advantage of the suggestions to which the learning and practical experience of the Judges of Her Majesty's Courts in India necessarily attach great weight.

I do not pretend to enter into an examination in detail of the legal difficulties which are adverted to in this correspondence. I never imagined that we could be able to introduce a new system of judicature for the class of cases for which we propose to legislate which should be perfect in itself and not open to objections from the profession and from the public. But I considered that we owed a duty to the inhabitants of a great town like Calcutta to open to them a tribunal for the adjudication of that class of cases which are virtually excluded from Her Majesty's Supreme Court by reason of the expences attending the institution and prosecution of such cases in that Court, and I should have been well satisfied with a still simpler system than that which we have proposed though I concurred in the scheme prepared by Mr. Cameron and corrected by the Chief Justice as a great step towards the object which we have in view. When that step is once taken there will be little difficulty in the adoption of measures hereafter to render the new Court as free from defects as any such institution can be, and I cannot therefore admit that any of the objections which have been urged against the measure generally should deter us from proceeding in the course which we have resolved upon after long and mature deliberation.

(Sd.) T. H. MADDOCK.

10th June 1847.

MINUTE BY THE HON'BLE F. MILLETT.

Dated the 22d June 1847.

I concur with the President that we should adhere to our plan of a subordinate Civil Court. The improvements suggested by the learned Judges and the Commissioners of the Court of Requests, can be maturely considered in revising the details of the Draft Act.

The provision for the oral examination of the parties in the presence of the Judge at an early stage of the suit I consider an essential part of the scheme.

The objection felt so strongly by the Chief Justice to this Clause on the ground of the bias which it is thought would be thereby produced on the mind of the Judge has little weight with me. From the ignorance of the parties and their Vakeels the Judges of our Mofussil Courts necessarily interfere in the conduct of suits in a manner unknown in English Courts, and postponements for the purpose of obtaining information, or the production of evidence, are of every day occurrence.

On the merits of the principle of Special Pleading we shall be better able to form an opinion when we receive the further remarks of our Colleague Mr. Cameron on the subject.

When the Scheme for erecting a Subordinate Civil Court at Calcutta was first under preparation in the Law Commission, circumstances occurred affecting the practice of the Court of Requests which rendered the adoption of some immediate measure desirable, and the Law Commissioners proposed, as a temporary expedient, the erection of a Small Cause Court to be held by a Judge of the Supreme Court, for the trial of actions at law to the amount of 400 Rupees. But the Judges, though they expressed their willingness to co-operate, suggested as a better plan the appointment of a Gentleman of competent legal attainments to the Court of Requests, and the making the proposed extended jurisdiction a branch of that Court.

Letter from the Judges,
14th September 1842.

Had the Bombay Government submitted to us the public spirited offer of Sir Erskine Perry to carry into effect the original plan of the Law Commission, as a branch of the Supreme Court, I should have voted for thankfully accepting it. It is now too late.

(Sd.) F. MILLETT,

22d June 1847.

P, S.—As pertinent to the discussion of the question of pleading I extract the following passage from the Letter of Her Majesty's Judges above referred to.

“The proceedings should be of the most simple
 “kind. The claimant should attend before the Clerk
 “of the Court and state his case, the latter should bring
 “the party before the Judge, who should direct the entry
 “of the plaint in a plaint book in concise and plain lan-
 “guage stript of all technical phrases according to its
 “legal nature. Then the defendant should be summon-
 “ed to attend at a certain time and place, and the com-
 “plainant ordered to attend at the same time and place.
 “The defence should be entered in the same mode in the
 “plaint book under the plaint and by a process similar to
 “the ancient oral pleading the points in dispute should
 “be brought to certain issues, so as to diminish the amount

“of proofs. Thus the Judge would be in a manner the
 “legal adviser of both parties who would rarely have occa-
 “sion to resort to professional assistance. To give effect
 “to this system the Judge should understand the elemen-
 “tary learning of pleading, but it would not be necessary
 “that he should have practiced as a pleader, or should be
 “deeply learned.”

(Sd.) F. MILLETT.

June 26th 1847.

MINUTE BY THE HON'BLE SIR F. CURRIE, BT.

Dated 22d June 1847.

Act for establishing a
 Small Cause Court in Cal-
 cutta.

I have read through these papers,
 and those connected with the first read-
 ing of the Draft Act which I had not
 before seen.

I have also read the correspondence which took place
 in 1844 and 45 and the Draft Act then proposed.

I concur entirely as to the expediency of establishing
 a Court for the trial of actions and suits of the kind con-
 templated in the Draft now proposed, on the principles
 on which that Draft is based.

As we are now awaiting the remarks, which the Court
 of Directors may think fit to record for our guidance, this
 does not appear to be the time for discussing the details of
 the several objections and suggestions offered by the Judges
 of the Supreme Court and the other parties who have been
 consulted, or who have offered their views to the Govern-
 ment.

In considering the Draft Act in its several Clauses,
 before its passing I think much may be done to obviate
 many of the objections raised, and by taking advantage of
 judicious suggestions to improve the rules for detailed admi-
 nistration which the Act provides.

I can see no difficulty with the materials now in our
 possession, in framing a Law, which will work well and be
 an incalculable advantage to the community of Calcutta.

(Sd.) F. CURRIE.

June 22d 1847.

MINUTE BY THE HON'BLE SIR HERBERT MADDOCK, KT.

Dated the 12th July, 1847.

Small Cause Court for
 Calcutta.

We have now before us the re-
 marks of the three Judges of Her Ma-
 jesty Supreme Court at this Presidency
 on the Draft Act published on the 13th of March 1847.
 But it does not appear to me to be necessary to consider

in detail the objections which have been raised and the amendments which have been suggested by the learned Judges. They have been examined and remarked upon by my Honorable Colleague Mr. Cameron, and as the Council is prepared to introduce into the Act, before it is passed, any alterations which we are convinced will improve the new Court and promote its usefulness, we may consider and decide on them separately at our next meeting.

When we decided on the Draft Act in its present shape we were so far from deeming the plan of the new Court perfect that we admitted a wide modification of the scheme which the Members of Government would themselves have preferred in order to obviate objections which had been raised against the scheme of the Law Commission and to ensure the acquiescence of the Chief Justice if not of all the Judges of the Supreme Court. With this view we reduced the pecuniary limit of the jurisdiction of the new Court and allowed an appeal to the Supreme Court from its decisions, and I shall be prepared to make other concessions if necessary to the ultimate establishment of a Small Cause Court. For although such a Court may not be all that I could wish to see it I feel satisfied that it is preferable to be satisfied at first with an imperfect system of administering justice cheaply and without submission to the technicalities of the Law, rather than to wait till we can induce all parties to consent to a more perfect scheme. Whatever defects may be found to exist in the Act which we pass may hereafter be corrected. We professedly regard the proposed Court as an experiment, but we are justified in making the experiment in order to satisfy the reasonable demands of the public for a tribunal to which they may resort for justice in causes of small amount.

We may derive much advantage from the experience of the learned Chief Justice at Bombay, who has entered so fully into the consideration of this subject in the Report with which he has favored us.

(Sd.) T. H. MADDOCK.

12th July 1847.

No. 979.

From the UNDER SECRETARY to the GOVERNMENT of
BENGAL,

To the SECRETARY to the GOVERNMENT of INDIA, HOME
DEPARTMENT.

Dated Fort William, 12th May 1847.

SIR,

Judicial.

With reference to your letter No. 180,
of the 13th of March last and its enclosures, I am

directed to forward for the purpose of being laid before the President in Council in the Legislative Department, the accompanying copy of a communication from the Commissioners of the Court of Requests, dated the 23d ultimo, containing their observations on the Draft Act for establishing a Court of Subordinate Jurisdiction in the City of Calcutta.

I have the honor to be, &c.,

(Signed) A. R. YOUNG,
Under Secy. to the Govt. of Bengal.

From the COMMISSIONERS of the COURT of REQUESTS,
To F. J. HALLIDAY, Esq.,

Secy. to the Govt. of Bengal.

Judicial Department, dated the 23d April 1847.

SIR,

We have the honor to acknowledge the receipt of a letter No. 745, from Mr. Under Secretary A. R. Young, dated the 14th instant, forwarding a copy of a Draft Act "for establishing a Court of Subordinate Civil Jurisdiction in the City of Calcutta," read in Council for the first time on the 13th March last, and requesting us to submit to the Hon'ble the Deputy Governor of Bengal, such observations on its provisions as we may consider necessary.

2. The present appears to be a revision and modification of a Draft Act proposed and submitted to Government by the Law Commissioners with their Report, dated 15th February 1844, which was forwarded to the Commissioners of this Court with Mr. Under Secretary Turnbull's letter, dated 8th July 1844, and upon the provisions of which they offered a few observations in a letter to your address, dated 31st idem. In compliance with the directions, which Mr. Under Secretary Young's letter contains we are now prepared to offer some remarks on the Draft Act before us, which we have considered with great attention.

3. The establishment of such a Court as that now under the consideration of Government appears to us to be necessary; and the plan which the Draft Act develops seems, in its general features, well adapted to the purpose of securing the prompt and cheap administration of justice. The provisions for the personal attendance of suitors, for the settlement prior to the hearing of cases, of distinct and determinate issues of law or of fact, for the subsequent trial of such issues on a definite future day; and for the subordination of the proposed Court to the Supreme Court, are provisions which we think are calculated to secure the satisfactory working of the new institution. At present, in all cases even of simple debt where the amount exceeds 400 Sicca Rupees, and is below

a Thousand Rupees; and in all cases whatsoever, in which the sum of money sought to be recovered against Executors, and in all cases where the damages sought to be recovered on special contracts, are under a thousand Rupees, and in all actions of trover, detinue and ejectment, where the value of property sought to be recovered, is under that amount, and in all actions for slander, false imprisonment and assault, where the extent of damages claimed is below that sum, and in many other cases which it is not necessary to particularize, no party can obtain relief in Calcutta, except in the Supreme Court, nor can he sue there in these several cases, without incurring the risk of having to pay (or if successful, compelling the defendant to pay) more costs than the amount recoverable, nor can he obtain judgment in that Court, under an average period of about three months. Having regard to the expensive machinery of that important tribunal, to its responsible duties, on the administration of Criminal and Ecclesiastical Law, to the formal mode of procedure which is necessarily adopted there; and to the very weighty questions in Equity and Common Law which it is called upon to decide, and which cannot satisfactorily be settled without full argument by the Bar, and grave deliberation by the Bench, we apprehend that the very numerous minor actions to which we have adverted, and which the proposed Subordinate Civil Court would dispose of, could not be tried in the Supreme Court, with adequate expedition and economy. That this state of things requires a remedy, no one who considers the proper end of society will deny. The question is as to the adaptation of the particular measure before us to the object in view; and it affords us satisfaction to state that we have heard no substantial objection to its general tenor. We think that the proposed Court will meet the wants and the wishes of the community, and that the practical system proposed in the Draft Act for its adoption, is, in all its main features, calculated to satisfy the public mind, and to promote the ends of justice.

4. The 15th Section of the Act in its 1st, 2nd, 5th, 6th and 9th Clauses, provides that one of the Commissioners shall sit daily to receive complaints, that he shall receive oral or written statements, and frame complaints from them, and writs of summons shall subsequently issue, containing copies of such complaints. We believe that great delay would be avoided, and that all the objects contemplated by these provisions would be obtained, if the Act provided merely that a party applying for a writ of summons, should state his cause of action, that that cause of action should be succinctly mentioned on the summons, and (as a check to the institution of frivolous suits) that the present system of the Court of Requests, as to the pre-payment of costs should be adopted. To so much information as the writ of summons would then contain, a defendant may be con-

sidered entitled; but more than that in the earliest stage of proceedings, we do not regard as necessary. A very large proportion of the causes which are now brought before the Court of Requests, and which under the Act, would be disposed of by the Subordinate Civil Court, are compromised before the day of trial. The proportion of such compromises to the total number of suits is 55 per cent., and of the 14 additional cases in every hundred which are nonsuited, the ground of nonsuit, in three fourths of that number, is the absence of the plaintiffs, and the cause of such absence is the fact, that in these cases also, there have been compromises. Cloth dealers, and other tradesmen are accustomed periodically to take out numerous summonses against customers whose accounts have been unpaid too long. The mere issuing of a summons in such cases is ordinarily found to lead to a settlement. In all such cases, we apprehend that the formal preparation of a plaint would be an unnecessary addition to the expense and labor of the Court. It is true that in such cases the plaints would be very simple, and they would be easily and quickly drawn. But there must be one general rule established for all cases, and if a plaint is to be drawn, prior to the issuing of any writ of summons, then the result will be that some time (it may be a very short time) will be lost in a very great proportion of the cases, and therefore on the whole, and in the aggregate, there will be a great loss of time, while there remain besides other cases of a more serious character, in which there will be a great additional consumption of time in ascertaining the real nature of the claims of the plaintiffs, and in drawing plaints in accordance with those claims. In a case where the law will infer under special circumstances, that a certain sum of money has been paid to the use of the defendant, or in a case where particular circumstances will render a defendant liable to a plaintiff, as for money had and received to the plaintiff's use, there may be a long detail of special facts to be unravelled. In these cases, after the precise state of the case is determined, a plaint must be drawn, not merely using such a technical expression as "money had and received" (for such a plaint would convey no definite idea to the mind of an unprofessional defendant) but embodying the plaintiff's detailed statement, and then a writ must be issued containing a "copy of the plaint." In such cases much time might be consumed without any adequate compensation of beneficial result. And so with actions of ejectment, as to the boundaries, actions for false imprisonment, as to the precise circumstances of the wrongful act, or of the pretended authority under which it was committed, actions for slander as to the exact words spoken, actions for damages on special agreements, and actions under Sections XXI. of the Act to obtain specific performance of special agreements. In all these cases,

much time might be spent in ascertaining with sufficient distinctness the nature of the circumstances, and then in drawing plaints with convenient certainty to meet them—and when we consider that the number of the cases before the Court, will greatly exceed the number of cases now tried by the Court of Requests, and would certainly exceed a hundred daily, we are led to fear that the adoption of the provisions to which we are referring, would cause great delay, so that suitors would constantly be kept waiting at the Court before their application for writs (however simple their cases might be) could be heard. Very probably this evil would grow to so great a magnitude, as to repel from the Court, nearly all suitors, whose time was valuable. The other system seems to us preferable, namely, that of requiring merely a general statement of the plaintiff's cause of action embodying that by plain but compendious expressions in the writ of summons, and requiring from every plaintiff a deposit of costs prior to the issuing of a summons. The Chief Clerk would hear every application for a summons, and if he found a difficulty in stating the cause of action, might apply to a Commissioner for special directions; the mind of the Commissioner, who would hear the case, would be more likely to be unbiassed, because he would be less likely to have heard the plaintiff's case stated before, the plaintiff would not be heard with a narration of his case, except in *ex parte* cases, till the defendant was confronted with him, and he would not speak, therefore, under the great temptation to exaggerate, which the earlier hearing of his case, in the absence of the defendant, would present, and the defendant would meet the plaintiff without having previously known the precise shape which the complaint against him would assume; and this our practical acquaintance with the present system of the Court of Requests, leads us to believe, would tend to the discovery of truth. To such a brief statement of the plaintiff's cause of action, as a plain untechnical expression in the writ of summons, as "wages," "cloth sold," "promisory note," "a Bengallee bond," or the like, we do not object, but any thing more than that, would we think deprive the Court of some of the chief advantages of a meeting of the parties, namely, spontaneous admissions and unconcerted replies. In conformity to these views, we would recommend the omission of the provision in the latter part of the above quoted Clause 9th of Section 15, relative to the defendant being directed, in the first instance, to bring his documents, and a list of witnesses. All such directions we think should be postponed, till after the personal meeting of the parties, and the settlement of the issues to be tried.

5. It will be observed that our objection does not extend to the provisions of the Act for the hearing and

determination of suits, we confine ourselves simply to the provisions for the commencement of suits. We recommend as a check to fictitious suits and to frivolous and vexatious litigation, that the present system of the Court of Requests as to costs, be adopted, namely, the prepayment by the plaintiff on commencing proceedings, of the full amount of costs, regularly payable on the recovery of his demand. This system is a protection to the public, who are not likely to be served with summonses, in cases where they owe nothing, by plaintiffs, who must commence proceedings by themselves paying costs: it is a protection to the Court from the influx of frivolous claims, and the abuse of its process; and it is a protection to Government on which the expenses of the Court must fall, by securing the actual payment of costs. We feel it to be our duty to represent that this system has worked most efficiently as a check to the institution of fraudulent and vexatious suits, while on the other hand, as it is connected with a moderate scale of costs and a prompt adjudication of causes, it has not prevented the institution of suits by the poorest classes of the community as our observation of some of the cases that daily come before us, fully proves. This is the check on which we think, reliance may be most safely placed. If by the provisions of the Draft Act for the commencement of suits by the prehearing of cases by a Commissioner, and the preliminary preparation of complaints, the object be to establish another form of restraint on vexatious litigation, we must beg leave to submit our opinion, that these provisions will not be found effectual, and that an examination of a plaintiff alone, will not conduce to that object even if the unusual power be given to the sitting Commissioner, summarily to reject a case in the first instance, when the statement of the plaintiff is unsatisfactory to his mind. The Draft Act of 1844, provided (Clause 8, Section 10,) that a writ was only to be issued "if the Commissioner was of opinion that the complaint contained a cause of action against the defendant." In the Draft Act before us these words are omitted, and we think most wisely; so that a writ of summons must be issued under the present Act, in all cases where a statement of a cause of action is made by a plaintiff, if the Court has jurisdiction, and the merits of the case will be deliberately determined at a subsequent period, such being the case, the present Act does not arm the Commissioner with any power, summarily, and in the first instance, to check litigation even in cases where the plaintiff's own statement leads to the suspicion, that an unfounded suit is about to be instituted. We believe that in point of fact, the most acute person would find no little difficulty in discovering such to be the case, when his materials for forming an opinion consisted of the plaintiff's *ex parte* statement only; but supposing that discovery could be made, and the Act gave power to the Commissioner to dismiss the

suit at once, we should then beg leave to repeat the objections urged to it in our former, and abovementioned letter to your address, dated 31st July 1844. It is a power which we think would be embarrassing and unsatisfactory to the Commissioner, in its possession, and its exercise, and no less dangerous, or at least uncertain in its effect on the suitors. We do not think it would be effectual as a check to frivolous and unfounded litigation; we apprehend that it is not based on sound principles, and we do not consider it necessary. So far as our experience enables us to judge, we have no hesitation in saying, that the best check to fictitious suits is, not the Commissioner's first impression of the fitness of causes to be heard but the prepayment of costs and the personal attendance and examination of both parties in all causes that come to a hearing. This is strongly illustrated by the class of cases which are most commonly compromised in the Court of Requests, namely, the numerous suits of native shop keepers and money lenders. If there be a defence though it is but to a few annas of the whole amount of the claim there is a defence in person by the defendant, and we believe there is no defence at all in those cases which the plaintiff's report, on the day of hearing to be compromised, for it frequently happens that the terms of compromise are broken, and a subsequent suit instituted, and we have no recollection of such a defence being then set up (except perhaps in one out of a thousand) as that there was no original debt, and that the compromise was effected merely to escape the trouble of attending the Court, or through misapprehension of the force and meaning of its process, such being our views on this subject, we are bound to state that in our judgment the provisions of the Draft Act on this subject are unnecessary, would lead to a great waste of time and would effect no desirable object.

6. We have considered the opinions expressed in the preceding paragraphs very carefully, and we beg respectfully to request the attention of Government to them—believing, as we do from practical acquaintance with the operation of the present system under which summonses can be obtained promptly on the prepayment of costs, and a plaintiff states his case for the first time in the presence of the defendant, that the provisions of the Draft Act relative to the mode of commencing suits will not be found so conducive to the satisfactory working of the proposed new Court, as the arrangement which we have ventured to suggest. If however, the provisions of the Act be adopted without the modifications suggested by us we believe that the time of more than one Commissioner must be wholly devoted to the initiatory hearing of causes and the preparation of plaints, written petitions of extreme length and complexity will be produced by vakeels in which several causes

of action will be blended together, and the preparation of a single plaint, while numerous suitors are waiting for applications for suits to be heard, will frequently be the work of nearly half a day. The defendant on being served with an elaborate plaint, will prepare a formal defence and as much more time will be spent in settling the issues. On the other hand, if the plaintiff be only required in the first instance, to state in general terms, his cause of action, without specifying dates and collateral circumstances, the writ of summons will be obtainable immediately: the statement in that writ of the cause of action will sufficiently inform the defendant why he is to attend the Court on the appointed day, the plaintiff will orally state his case in the defendant's presence, and therefore under all the restraint of the apprehension that exaggerations and discrepancies will be at once exposed, and the Commissioner at the very commencement of this hearing will sift the case by examination of the parties much more carefully than he would sift the plaintiff's first statement, if he heard that, as the Act provides, without having any check on the plaintiff from the presence of the defendant, and without having any certainty that he himself would be the Commissioner before whom the cause would eventually be heard and by whom it would be determined. This arrangement as to the commencement of suits seems to us preferable to that sketched in the Act, and a very slight modification of the 15th Section would effect all alteration necessary for its substitution.

7. All our other suggestions are matters of minor detail, and if any of them require new sections, or alterations in existing sections, we shall be ready if required by Government to submit the necessary drafts.

8. Section 15 contains provisions (in its 12th and 13th Clauses) for the distribution of cases to be heard among the Commissioners. On these provisions we would respectfully observe that we think that the power here entrusted to the Chief Commissioner is liable to abuse, and is invidious in its nature. Few persons could fill the proposed office without wishing the task here assigned to them abolished, and those who might desire the authority, these clauses give, would probably be the first to abuse it by a capricious distribution of plaints. It seems to us that Section XVIII. which allows a Commissioner not being a Barrister, to hand over to a Commissioner, who is one, any case which he may consider to be more suitable to the latter than to himself, provides for all that is necessary in the subject matter, and that more cannot be enacted in this behalf without embarrassment, and probably jealousies arising among the Commissioners. But we do not consider the retention even of this Section necessary, or very expedient, as the purpose for which it is intended, would we believe, be naturally secured by the existence of

that harmony among the Commissioners which it would always be essential to their own comfort and advantage to maintain.

9. The 19th Clause of Section 15 provides that when any party has been excused attendance, and appears by an Agent, the Commissioners may subsequently order such Agent to summon the absent party if his presence be necessary. On this we would suggest an alteration by providing that the Commissioner himself, and not the absent party's Agent, should summon the absent party; and if the Section of the English Act to which we shall afterwards refer, for regulating proceedings in the absence of defendants, be not adopted, we think that in this Section provision might be made for hearing and decreeing causes *ex parte* against defendants who are subject to the Court's jurisdiction, but who will not attend and cannot be arrested. If it be intended that the present course of the Supreme Court in such cases should be adopted, we would submit it to Government for consideration, whether that course is sufficiently prompt and economical to be adapted to small causes, in the great majority of which, experience shows, that there is no substantial defence.

10. We would further suggest an alteration in the Section, which provides that in the apportionment of salaries, the Government shall "have respect to the qualifications" of each of the Commissioners. These words, we suggest, had better be omitted, for while it is right that a scale of salaries should be fixed by the discretion of the Governor of Bengal, an expression of the kind we have quoted is calculated invidiously to mark out to the public, the Government's estimate of some of its Officers as inferior in qualifications to others; and might be felt, in some cases, as fixing an unnecessary, or even an unjust stigma upon them.

11. Section 19 provides for corrections of the record in cases of nonjoinder. We believe that it is not less necessary to provide ample powers of amendment in cases of misjoinder and variance.

12. In Section 23 we would beg to suggest that one-16th should be substituted for one 20th in order to avoid the inconvenient fractional divisions in the levy of the latter rate.

13. The 30th Section provides for rules being granted by the Supreme Court to show cause why decrees of the Subordinate Court should not be reversed. We apprehend that it should be distinctly provided that the party holding the decree shall be the party, and that there should be a time limited, within which the motion shall be made in the Supreme Court.

14. On Section 28 which provides for process of the Court being executed by the Sheriff of Calcutta, we

would observe that we do not think that arrangement would be so effectual, or so prompt in its operation, as the system adopted in the Small Debts Act passed in the last Session of Parliament (9 and 10 Vic. C. 95.) In 31st Section of that Act there is a provision for the appointment of a high Bailiff and Deputies, and in Sections 33, 114, 115, 116, 117, there are provisions to regulate the duties and proceedings of the Bailiffs and to protect them. These provisions appear to us very simple, and we think if they were accompanied by Section 118 of that Act, which provides for the adjudication by the Court of claims to property seized in execution, they would add very considerably to the efficiency of the Court, and to the promptitude and regularity of its executions.

15. We would submit for consideration, that there should be additional Sections as follows :

For the Commissioners taking oaths of office and allegiance.

To authorize the Judges of the 24-Pergunnahs and Hooghly to execute the decrees of the Court as the Judge of the 24-Pergunnahs now does, for the Court of Requests, under Regulation XVI. 1812.

For the Commissioners taking depositions under Commissions from Mofussil Courts as the Commissioners of the Court of Requests now do under Act VII. of 1841.

For apportioning diet money of prisoners and limiting the times of imprisonment in conformity to the arrangements of the Proclamation of 1819, under which the Court of Requests now acts.

For transferring to the new Court the proposed power of the Court of Requests under the proposed Distress Act.

16. With respect to additional provisions we would beg further to suggest that there are several in the English Small Debts Act before mentioned, which we think might be very advantageously adopted in the Act before us. We would specify in particular—

Sec. 79 of that Act providing for proceedings when the plaintiff does not appear.

„ 80 providing for proceedings when the defendant does not appear.

„ 81 giving the Court power to grant time.

„ 82 allowing defendants to pay money into Court.

„ 92 authorizing the Court to order debts to be paid by instalments (as the Court of Requests may now do.)

- Sec. 95 providing for execution issuing on the non-payment of instalments (as the Court of Requests may now do.)
- „ 96 and 97 (with some verbal modifications) providing what property shall be seizable in execution.
- „ 105 providing for suspension of executions in certain cases.
- „ 106 providing for sales under executions (with modifications.)
- „ 113 giving power to commit for contempt.
- „ 118 (which we have mentioned before) providing for the adjudication of claims to goods seized in execution.
- „ 138 for the limitation of actions for proceeding in execution of the Act (with verbal alterations.)
- „ 139 for protecting the Officers of the Court in the exercise of their duty.

All these provisions appear to us to be very valuable, and they are characterized by great precision and simplicity.

17. If our preceding suggestions, or any of them be adopted, several minor alterations will necessarily require to be made in consequence in the phraseology of some other particular parts of the Act, in order to preserve the consistency of the whole.

18. In submitting these remarks to Government we beg leave to express our hope, that they will appear calculated to add to the value of the important measure which the Draft Act embodies, and in the complete success of which the claims of justice and interests of this great and rising city are deeply concerned.

We have, &c.,

(Signed) C. W. BRIETZCKE,
 „ RUSOMOY DUTT,
 „ MACLEOD WYLIE,

Commissioners.

COURT OF REQUESTS, }
The 23d April, 1847. }

From Sir E. PERRY, Kt.,

Puisne Justice, Bombay,

To the Hon'ble the PRESIDENT of the COUNCIL of INDIA
in COUNCIL.

Dated the 16th May 1847.

HON'BLE SIR,

1. The Judges of this Presidency have had the honor to receive from you a letter dated the 13th March 1847, enclosing three Draft Acts, upon which you request us to state our observations generally, and whether in our opinion it would be advisable to extend them to the Bombay Presidency, but as the state of Sir David Pollock's health will disenable him for some time from considering the various topics referred to, it devolves upon me alone to reply to your letter.

2. With respect to all the Acts in question a careful examination of them involves so much technical reasoning and presents such an uninviting aspect that very few, except mere Lawyers, will choose to encounter the task of wading through the discussion. But the Acts Nos. 1 and 2, in the margin contain within them principles of such wide applicability and are fraught with such large results either of good or evil to the community, that it is most important if possible to bring them to the notice of the statesmen and practical men, who are invested with legislative authority, and whose office it is to carry out the well weighed theories of the closet. I therefore propose to throw all technical details into separate Minutes, and to confine myself in this place to those general observations which your Honor in Council has been pleased to ask for.

3. Both of the Acts to which I last referred contain a large, it may even be said a radical alteration of the procedure of the Supreme Court, and as this alteration proceeds on a recognition of many of the evils in existing procedure which I pointed out in my Minute of 3d June 1843, if the subject only involved the consideration of the legal exigencies of two large Commercial Capitals such as Calcutta and Bombay, I should content myself with stating my opinion that either of the two Acts would be beneficial to the communities of those cities. For although each of those Acts represents a theory on which the Law Commission and myself on the one hand, and the majority of the Indian Judges on the other, are combating parties, I have so little taste for controversy or desire to obtain a reputation in logomachy that I should not avail myself of my right of reply which I waived once before, or notice the hard blows which have been aimed at me from various quarters, though all, with one exception, in a most friendly spirit.

4. But as I hinted above, I view the question of a reform in English Law procedure as one affecting the whole Indian Empire. Of the large body of European administrators in this country every one, from the Governor General down to the Ensign who was posted yesterday, is obliged to assume occasionally the character of a Judge. But on the various nice and complicated questions which must arise from time to time on such occasions it can only be English notions of Law and morality that will prevail, because the majority of the tribunals will be English, and on questions of difficulty those sources of authority will only be consulted which Englishmen have within their reach and which from their earliest youth they have learned to respect. The principles of English Law may not be superior, or they may be inferior, to the principles of Roman Law, and in the science of Ethics erroneous views may prevail on many important questions, still on the maxim *nihil est in intellectu quod non prius in sensu*, it is certain that when these two great sciences have to be referred to for the solution of various difficult questions in administration, Englishmen will be seen to be applying the doctrines which prevail in the land of their birth and education. And as I am unable to perceive in the vista of time any indication of British dominion ceasing, I appear to myself to see with corresponding clearness that the notions of English Law must daily become more and more propagated through the length and breadth of the Indian Empire.

5. I met with a very marked illustration of the proposition I am now asserting in a recent visit I paid to Ceylon. In that Island English Law is no where established. In the maritime provinces the Roman-Dutch Law prevails, in the Northern Districts bordering on India the institutes of Menu are in force, and in the central province the Candian or Native Singalese Code is the guaranteed *lex loci*. The fact however of the Chief administrators of the Law being Englishmen has introduced silently the English Law as the Code universally referred to in difficulties; and I was much amused on my visits to some of the District Courts to hear a Native advocate attired in the neat habit *habillé* borrowed from the Dutch, and the native garment round his loins well called by racy Knox "a clout," citing to a Native Judge his Carrington and Payne and Dowling's Practice cases, with all the volubility of an Attorney's Clerk at a Petty Sessions in England.

6. But in India, English Law as the rule of conduct of the governing classes, is established *quoad hoc* over the whole empire, the arguments urged by the Law Commission in their Report on a *Lex Loci* are to me conclusive that there is another large and increasing class to whom no other Law is applicable; and the influences I have above indicated cannot fail to introduce into administration a

continual stream of the spirit and doctrines of that law over other classes not nominally within its jurisdiction. All these considerations combine to point out the importance of making the procedure of the Chief Court where English Law is administered, a model, an authority or a guide.

I am aware that the Supreme Court is considered not to be a favorite with the Court of Directors, and recollecting that the Institution was enforced upon the Company as a species of political check and that its only connection with those tribunals is to defray all their expences, it is not to be supposed that the idea, the abstract notion, can awaken very agreeable associations. Those writers, therefore, in the Public Press, who are seeking to propitiate the Hon'ble Court will rarely be found to neglect an opportunity of criticising harshly the necessarily costly tribunals erected by Parliament. The Radicals also, adopting the tone of that vigorous thinker James Mill, are ever ready to denounce the introduction of English Law into India. But notwithstanding the operation of those usually antagonistic, but in this instance combined forces to resist importations from Westminster Hall, I am convinced that no Statesman who has studied India on the spot can fail to recognize the unmistakable tendency of the age, the imperious circumstances of the country arising from extended commerce, increasing population of European race, and diffusion of sound European notions through the Native community, which demand a more widely recognised dominion for *the law*, and a dispensation of it in the higher Courts by professionally educated Judges. For the reasons I have given above such law can only be the law of the land from which the governing European nation issues, and such professional Judges can only be obtained where that law is studied professionally.

7. But I am sanguine enough to consider that the question of basing the procedure of the Supreme Court, on simple intelligible principles, the reasons of which can be made apparent to all, and the adoption of which can be justified by the best lessons of experience, embraces a far wider field than even the extent of the Indian Empire. Wherever the English Law prevails, that is to say in every corner of the earth, it is a question coming home to the businesses and bosoms of men to have it dispensed on the quickest and most economical terms consistent with the ends of justice. And although hitherto the Lawyer caste in England, by which I mean principally the Country Attornies, have been successful in resisting every attempt at Law Reform which seemed to militate with their interests, I think there can be no doubt that if once a successful experiment be exhibited, before the intelligent European populations of the Presidency capitals, of the whole corpus of English Law being safely administered without any

unnecessary expence, vexation or delay, the effect of it will not be lost upon John Bull, torpid as he ordinarily is on these subjects, and that he will be ready to join in the cry which a brother Law Reformer and myself frequently interchange with one another, namely, that in the path of Law Reform,

Via prima salutis,

Quod minime reris, domitis pandetur ab Indis.

8. It is from a profound impression of the truth of these views that I succeed in overcoming the vis inertie which belongs to my constitution, and which with a thermometer of 91° in this vacation month of May, would no doubt suggest a good many plausible reasons why I might limit myself on the present occasion to a reference to the opinions I have already expressed during the discussions of the last four years. But I cannot fail to perceive that these discussions must be attended with the most beneficial results sooner or later, and whether my Minute of June 1843, contains a feasible reasonable scheme, as I have been assured it does by some of the first Lawyers in England and by the most distinguished practical men in India, or proposes a system which Sir John Peter Grant does not hesitate to pronounce to be "in truth a rude untried and ill digested proceeding, suited as it appears to me only to a state of society little advanced from barbarism," it has had at all events the merit of eliciting the opinions of Judges and Jurists, of disclosing very serious defects, in existing practice, and of necessarily calling the attention of the educated minds of the day to the principles on which the science of legal procedure ought to be based.

9. I willingly therefore enter into a deeper discussion of this question. But I ought to premise that I do not consider practitioners like Sir L. Peel and myself to be the fittest persons to conduct this sort of enquiry. The Germans have a very good division of those who cultivate the study of the Law into *theoretiker* and *praktiker*, the former are the scholars by whom the science is advanced, the latter are the practical men who apply the doctrines patiently thought out under the midnight lamp, to the every day business of life. A similar distinction prevails no doubt as to all sciences, and a ready illustration occurs to my mind in the passing political events of the day wherein one may see the practical Statesman of the House of Commons carrying out the theories and enforcing the doctrines of the philosopher of seventy years ago—(a) but it is in the Law especially that the distinction is most marked.

(a) The first edition of the Wealth of Nations appeared in 1775-6.

10. Now to discuss the principles of procedure applicable to India, the Jurist should have unlimited time at his disposal, he should be acquainted not only with the exist-

ing rules in the Code of Law of his own country and with the reasons, historical, accidental, or well considered for their establishment, but he should also be thoroughly conversant with the mode in which other enlightened nations have dealt with the difficulties encompassing the subject. But a practitioner, especially an English practitioner, has no time for such enquiries, although the English bar is, I am firmly convinced, the most brain—worked class of men in the world, their time is fully occupied by learning and discussing what the Law is, and even for that they have not time. Sir Lawrence Peel well says “the eminent men who are appointed to fill the highest Judicial Offices at home frequently regret their want of time to keep up their reading;” and again, “for my own part I regret that I have not more time for reading; I am in the habit of reading all the Reports of all the Courts in England, but I am unable to keep pace with the publication of them.”

11. I also profess to adopt the same course as my learned friend for keeping up my knowledge of the Law, and although I undoubtedly have spare time on my hands occasionally for excursions *extra viam*, I must also plead guilty of not being able to keep pace with the very voluminous Reports of the present day. It is evident therefore that neither Sir Lawrence Peel nor myself have the opportunities within our reach for bringing to this discussion all the necessary information, extending over so wide a field, which is requisite. Our opinions therefore are chiefly valuable (and I have never considered my own in any other light) as the opinions of practical men sharpened by the business of daily life and stating the results of their experience as to the tools they work with.

12. It should not be omitted to be stated however, that an Indian practitioner, whether on the Bench or at the Bar, possesses advantages over his compeers in England in a discussion like the present of no small value. At home it will be found that practitioners are nearly always enamoured with the practice of their own Courts. The general opinion among the profession and with the public at large is, that the procedure in the Courts of Doctors Commons is the worst in England: yet, on the evidence taken before the Ecclesiastical Commissioners, every practitioner examined expressed himself as warmly in behalf of it, as Coke or Blackstone do of the perfection of human reason generally (a.)

(a) See Report of the Commission to Her Majesty ordered to be printed by the House of Commons, February 1832.

The Common Lawyer boasts that his system of special pleading is a fine juridical invention, and *vivâ voce* examination the only satisfactory mode for the eliciting of truth, whereas the majority of Equity Lawyers, I believe consider with an eminent Civilian that the examination of witnesses on written interrogatories with closed doors and in the

absence of the Judge and of the parties is "preferable to an examination at *Nisi Prius* where every incautious or hasty expression is instantly *bellowed* to the Jury and insisted upon without giving time to the witnesses to correct a particle." 1 Browns C. L. 479.

13. The Indian Judge having to administer all these different Codes of procedure is no doubt to a great extent emancipated from these prejudices, and having moreover often to lay down a rule of procedure of Courts in which he has not practised himself, and as to which, authorities often fail him, he is much oftener driven to consider the principles which dictate the establishment of rules than occurs to his brethren on the English Bench.

14. After this long, but I trust not unnecessary preamble, I proceed to an appreciation of the immediate question. The Supreme Courts of India have to administer to the communities within their jurisdiction the whole body of the English Law, Civil and Criminal. Whatever rights have been created for the protection of the subject, whatever wrongs have been denounced, whatever provisions the records of the English Law, extending over at least 600 years, contain for the protection of life, property, liberty and reputation, by the theory of the Supreme Court, a party complaining of a breach of that law, can there find redress. The immediate subject of enquiry is as to the mode in which this complaint shall be made, and this redress administered.

15. But directly a point of view has been obtained from which this subject can be viewed as a whole, it will be seen that wherever an application has to be made to a Court of Justice, certain steps of procedure must occur and certain difficulties be provided against, essentially alike in all systems, though possibly the mode in which these steps are prearranged and the difficulties dealt with may vary with each system. For instance a party claiming the assistance of a Court of Justice may either be required to state his case to the Judge in person, and upon oath as in English Criminal practice, or he may summon his opponent to appear before the Court by issuing out a writ at his free will and pleasure as in English Common Law practice at home, or he may be required to obtain the sanction of the Judge for such a summons, and to file at the same time a carefully composed written pleading of his case as in the English Common Law practice in India, or he may serve citations on his opponent through an Officer of the Court and file written allegations afterwards as is the practice of Courts following the Roman Law, or he may commence his suit in two or three different ways by citations, or by caveat, or by an act on the part of the Judge himself, as is practised in the Courts of Doctors Commons.

- And so at every stage of the suit such as,—
- 1st. Application to the Court for its process.
 - 2d. Notice to the defendant.
 - 3d. Appearance in Court.
 - 4th. Statement of the matters in dispute.
 - 5th. Defence which is, either, in negation of the facts alleged, or of their coming within the legal category relied on by plaintiff, or both.
 - 6th. Disposal of the preliminary law question (demurrer).
 - 7th. Proofs of disputed facts.
 - 8th. Arguments on the facts and law.
 - 9th. Judgment.
 - 10th. Execution of the decree of Court.

It is obvious that different Courts administering different branches of the law proceeding without concert with one another, proceeding often *in vinculis* from their limited jurisdiction (to say nothing of the felonious proceedings by which the early English Courts robbed each other of

(a) This may seem strong language, but I think no honest man who is unprejudiced can read the accounts of the struggles between the Courts to extend their jurisdictions and thereby increase their fees, and especially the pages of Roger North, without assenting to its truth.

really serious difficulties which present themselves at every one of the above stages.

16. Now the terms of the question put by the Law Commission to the Judges of the Supreme Courts four years ago having admitted of a full enquiry being made into the principles and *rationale* of procedure I took the opportunity of the vacation months of April and May to go into the enquiry fully, and as the final result recommended that one uniform system for bringing before the Court the facts in dispute between suitors, for preventing delay on the part of the litigious, fraud on the part of the dishonest, error and caprice on the part of the Judge,

(a) The general terms of this proposition would include criminal procedure, and so far as the attainment of justice between man and man in the simplest and most economical manner is concerned, the investigation and decision on crimes do not require different rules of practice from those which are adopted for other disputed facts. But in Criminal Law a higher object than the settling a dispute between two parties is in view, namely, the public exhibition of the punishments which society awards to crimes, and hence a variation of practice for the sake of securing additional publicity and solemnity is called for by the nature of the case.

what was then valuable property (a)) I say it could not but occur that different and discrepant rules of practice should be adopted in order to dispose of the numerous and should be adopted on all sides of the Court (a). Whatever the wisest rules may be for effecting those important objects let reasoning and experience be referred to, and let their dictates be implicitly obeyed. The object sought for is the same in all systems of Civil Law, viz. the dispensation of justice between man and man at the least possible

inconvenience to the public or to the parties, and the best path to it, like every straight path, can only lie in one direction:

17. It is most important for the Government of India to remark that on this main principle there is scarcely any difference of opinion amongst the Judges. For Sir Lawrence Peel in his Minute of 13th February 1844, embodying as it would seem the opinions of the other Judges, makes this important concession. "It would be difficult to show that any peculiar mode of procedure is essential to the decision of any questions that may arise under any of the various heads of jurisdiction possessed by the Supreme Court, and it would be obviously a great improvement to introduce in them a uniform mode of procedure which might easily be made to adapt itself to the particular system of Laws to which it was applied."

18. It is true that the elaborate Minute of Sir J. P. Grant written a year subsequently, puts forth views which would seem to clash with the above opinion of Sir Lawrence Peel. The learned Judge steps out there avowedly as a "*laudator temporis acti*," and he puts forward a vigorous plea in behalf of ancient institutions. Arguments tinged with such a feeling always recommend themselves with special favor to the larger portion of mankind, and always even when pointed with infinitely less ability than distinguishes those now under consideration, deserve to be carefully regarded by the Legislator. A distinguished modern statesman and philosophic writer, the Prussian Minister Ancillon observes—"il y a toujours dans la société, comme dans le parlement d'Angleterre, un parti d'opposition qui contrôle, combat, attaque tout ce qui se fait, se dit, se découvre, s'invente, tout ce qui est nouveau et différent du passé; ce parti de l'opposition est composé de l'ancien ministère de la société, c'est-à-dire des vieillards, et de tous ceux qui ne donnent plus le ton dans la société; il est dirigé contre le nouveau ministère, c'est-à-dire contre les jeunes gens, qui donnent aujourd'hui l'impulsion, mais qui avec le temps perdent leurs places, sont remplacés par d'autres et recrutent à leur tour l'opposition. L'existence de ce parti de l'opposition dans la société y entretient la vie spirituelle et morale, amène le conflit et la liberté des opinions, prévient beaucoup de bouleversemens, conserve l'ancien patrimoine en fait d'institutions et d'idées, et fait passer les nouvelles par un creuset épurateur. (a)

(a) *Mélanges de Littérature et de Philosophie*, vol. 2, 267.

19th. It would not be difficult to show I think, that the European administrators of India belong essentially to the 'nouveau ministère.' I verily believe there never has existed in any country an official class, amongst whom the desire to improve the institutions and welfare of the people has been so extensively diffused as in the servants of the

East India Company. The application of English notions to the Government of an Asiatic country necessarily requires a bold examination of principles on very many occasions. A red tapist attachment to routine is consequently almost unknown in the service, and on the contrary it seems to be pretty universally admitted that a slavish copying of institutions, which have been seen to work well in England, without any regard to the very different circumstances of the country, is the greatest error into which an administrator can fall.

20. The concluding observation of Ancillon, however, shows how valuable the conservative check is, and the necessarily frequent application of it to the race of young, vigorous and ardent administrators in India serves, perhaps, to account for its predominating operation upon those with whom the final direction of affairs rests, and to explain the slow march of administrative improvements under the Government of India. A witty friend of mine, in this Presidency, observed to me once, that the Indian Government presents an antithesis to Carnot's definition of a despotism which acts without deliberating, whereas our Government is always deliberating but never acts! The remark, however, and the lessons of daily experience, denote the necessity of considering carefully the objections which counsel inaction.

21. Now the simple answer to Sir J. P. Grant's protest in behalf of ancient landmarks is one that I have al-

(a) See letter to the Bombay Government in answer to Sir L. Peel's objections, dated May 22d, 1844.

ready had occasion to give (a) namely, that by introducing a uniform system of procedure, no change whatever is proposed to be made in the substantive Law of the land. But not only no change is proposed in the latter, but even in the former no innovation, invention or departure from established usages is to be found. Examination of parties to the suit, *vivâ voce* evidence, appearance of the parties in Court, and at an early stage of the cause, oral pleadings and moulding of the decree to suit the justice of the particular case, are all well known in the principles, most of them in the existing practice of the English Law.

22. I venture to think that a fallacy is lurking in Sir J. P. Grant's mind when he supposes the attachment of the English to *ancient forms* as well as to *ancient principles* to be so strong. Such attachment no doubt is often to be found amongst many nations in an early stage of civilization, and striking examples of the evils it has led to are to be found in the legal records of the Romans, the

(a) An instructive instance of form prevailing over substance among the early Romans (I could cite many parallel ones from English Law) is recorded by Gaus. The

English, the Germans, and not less among the Hindus. (a) But as civilization advances, symbolic forms are

XII. Tables gave a remedy for injuries to trees, *de arboribus excisis*, and one who had had his vines rooted up brought an action, but was cast because he used the word *vites* in his formula and not *arbores*; and Gaius justly upbraids the pedantic technicality of the earlier times by which the party, *qui vel minimum errasset litem perderet*, IV. § 11 § 30. This slavish adherence to forms and adoptions of symbols amongst early nations, (resorted to in the first instance from childish credulity, retained often by sinister interests) proves the operation of a principle deep seated in human nature. Grimm's great work on the antiquities of the German Law, published in 1828, contains what has been well termed an magnifique recueil de formules empruntées à toutes les jurisprudences, and his profound acquaintance with the languages and literature of Asia has enabled him to point out the wonderful similarity which exists between the nations of the East and West, not only in their languages but in the symbols and usages adopted by each at an early period of civilization to aid them in the difficult problem of all times, "judicial procedure."

set up by his opponent in a replication *de injuriâ*, or whether he must traverse some single fact, whether judgment should be entered up for him on all the Counts respectively or otherwise. He leaves all those matters to his legal advisers, and does not understand the meaning of them when he sees them mentioned in the Attorney's Bill. But I assert that he, with all sensible men not belonging to the profession, can feel nothing but disgust when the verdict goes against him at the trial and involves him in enormous expences, because his legal advisers have not observed

(a) I extract the following Report of a case at the last assizes from the Daily News, March 23, 1847.

ASSIZE INTELLIGENCE.

Norfolk Circuit, Cambridge, March 22.

Nisi Prius—Before the Lord Chief Baron and a special jury.

Chafy v Lindsell. Slander. Sir F. Thesiger, Mr. O'Mally and Mr. Keane were counsel for the plaintiff. Sir F. Kelly, Mr. Serjeant Byles and Mr Sanders represented the defendant. This action was brought to recover damages (which were laid at 20,000 £) for slanderous words of a character unfit for description alleged to have been spoken of the plaintiff by the defendant who pleaded "not guilty." The evidence for the plaintiff showed that the defendant had spoken the words complained of, with the meaning attributed to them by the declaration, but as well from the examination in chief as from the cross-examination it appeared that the words were uttered as the repetition of something stated to the defendant by some one else and not as a statement on his own authority. Thereupon it was objected, that the plaintiff must be nonsuited. There was an obvious variance between the allegation and the proof, and as an

rejected, substance is alone considered, and legislators like Justinian and Napoleon who abolish useless mummeries may well triumph, as did the former on having rooted out the last trace of the old farces of the Law *antiqui juris fabulas!* An Englishman of the present day no doubt feels justly proud that his house is his castle, and that if the rich man invades it unlawfully the Courts of Justice will give him redress. I apprehend that he is wholly indifferent whether his action should be framed in trespass or in case, whether he is entitled to deny all the defences

some form laid down in a year book 500 years ago (a).

In point of fact, however, the Draft Act which I presume has been drawn up by the Judges of the Supreme Court at Calcutta in pursuance of the views expressed by Sir Lawrence Peel in his Minute of February 1844, contains very great, and as I said before, even radical changes in English procedure, and if the Act be adopted a very different system of practise will be in force at Calcutta to that which any existing Court in England displays. The large and wholesome powers of amendment which it contains for the purpose of rectifying the evils of special pleading

amendment in accordance with the proof would prejudice the defence, it could not be made. After lengthened discussion the learned Judge retired to consult Mr. Justice Coleridge and on his return into Court stated, that both himself and his learned brother thought that the variance was material and that the declaration could not be amended. The plaintiff therefore was nonsuited.

The fault here made was committed by the pleader, and although the plaintiff clearly established his case this fault gave the verdict against him, with all the costs of suit which considering that Sir Frederick Thesiger was specially retained would probably approach £1,000 and exceed it if the special retainer of Sir F. Kelly is also chargeable against the plaintiff. And touching the subject of costs the following report of a case a few days later may not be uninteresting at a time when the question of the possibility of improvement in existing procedure is undergoing discussion.

Daily News, March 29th,
1847.

EQUITY COURTS.

Before the Lord Chancellor.

The Attorney General v. The Corporation of Ludlow—Taxation of Costs.—This suit instituted several years ago to compel the Corporation of Ludlow to restore to the trustees of a school, founded by Edward VI. certain lands which became in the course of time by accident or design mixed up with the Corporation's own lands. The parties in consideration of the difficulty of tracing and separating the charity lands from those of the Corporation and to avoid the ruinous expenses of litigation agreed in 1845, to a compromise, by which the Corporation bound themselves to pay 1,500£ a year to the charity. To carry that compromise into effect required an Act of Parliament in addition to the sanction of the Attorney General and of this Court which they had obtained in 1845. The Act was passed last session and by an enactment in it the Corporation was made liable to pay all the costs of the suit. It was referred to one of the Taxing Masters of this Court to tax the costs, and a question arose as to who were the proper parties to attend the Master on the taxation. That question was now brought before this Court by the petition of the relators. Mr. Lloyd appeared for the relators, Mr. Bacon for the Corporation, Mr. J. Parker for the Master of the school, and Mr. Holt for the Trustees. It would appear from Mr. Bacon's observations, that the whole costs would amount to a sum between 16,000£ and 20,000£, and that to raise that sum the Corporation would have to sell a great part of the property.

Between 16,000 and 20,000 costs for a suit which had been compromised to avoid the ruinous expenses of litigation!!

face and leaves untouched the fertile sources from which most of the inconveniences in English procedure arise. I think further that I shall be able to show, that some of the

will probably prevent any such harsh case occurring as that mentioned in the note at the late Norfolk Assizes, and the new forms and rules as to pleas which it introduces will possibly do much good; but they are all decided novelties. And lastly the provision which it introduces of the power of discovery at Common Law, by which in ordinary cases the whole of a plaintiff's demand will be enabled to be proved by the mouth of his adversary is the introduction of a principle unknown to the Common Law, and which if we may reason from the analogy of a similar practice in Equity, will wholly alter the character of a trial at Nisi Prius.

I do not object to those great alterations, on the contrary, I think that they, or something in their place, are imperatively called for. The fact of their being propounded by the Calcutta Bench is all that I am concerned at present in noticing with reference to Sir J. P. Grant's solemn warning against innovation.

23. With respect to the alterations on their own intrinsic merits what I desire most strenuously to enforce on Government, is, my solemn conviction that Sir Lawrence Peel's Act (if I may venture to call it so) in no way disposes of all or even of a greater portion of the evils which have been proved to exist; that it affords only a temporary relief for certain defects on the sur-

alterations which my learned friend proposes are at variance with the great principle he has himself laid down, and that his Act will in some respects even aggravate the evils of existing divergent practice.

I do not forget the plausible arguments which Sir L. Peel has put forth in his Minute of February 1844 as to the advantage of proceeding step by step, "specially in a country like India, retaining as far as it can be done established systems"—and I know the weight which these arguments possess with the bulk of mankind who have neither time nor inclination to grapple with legal questions. But with respect to a subject, such as is now under discussion, I humbly beg to protest against the application of the doctrine at all.

24. "In questions of Law Reform" (and I am now quoting perhaps the greatest living authority on Common Law) "when once the extent of the evil is steadily discerned, the boldest reform is often the most advisable, because it settles foundations and prevents the great evil of frequent changes." The profession of the Law

(*n*) Comte, Cours de Philosophie positive.

is often flouted at by the vulgar and one of the profoundest thinkers of the day (*a*)

gives some stamp to the jeers by his observation, that the spiritual dominion exercised by Lawyers in the present day in succession to that of the Clergy of former times, is fast drawing to a close. I suppose, however, that the profession is neither better nor worse than others, and that, like the great bulk of mankind, they will be guided chiefly by their interests real or supposed. No one can be surprized to find that a profession, whose time, as we have seen above, is fully occupied in learning what the Law is, should be disinclined to speculative inquiries as to what the Law ought to be, or that when certain defects have made themselves prominent to the public, they should be averse to a series of impotent and inefficient tinkering on the part of those who set up as Law Reformers, and which leave the demand for Law reform as loud as ever.

25. Undoubtedly they have just cause to be angry, when a series of infinitesimal alterative doses are applied to the legal corpus during such a length of time as to make it impossible for the most industrious practitioner to ascertain what the actual state of the Law is. Since I have been in this country, a valuable, though very voluminous work, has been published on the practise of the Court of Chancery, but although these volumes contain actually more matter

(*a*) A rough estimate of the contents of the Corpus Juris and of Daniell's Chancery Practice is curious ;

than the whole body of the Roman Law (*a*) and were written with the view of

<i>Corpus Juris.</i>		<i>Daniel.</i>
No. of Words in a Page,	210	374
Ditto Pages,	3,294	2,160
Total Words,	6,62,094	8,07,840

Law before the publication could be completed, that the author was compelled to abandon the task he had set out with, and to send his work unfinished into the world.

26. It appears to me, therefore, that so soon as an evil in the existing Law is pointed out, of sufficient magnitude to call for the hand of the Legislator, the interests of the Profession coincide with those of the public to demand a vigorous, well weighed and *final* measure. A further objection to the proposed scheme of dealing with established evils in Law Procedure by gradual reforms is that it is nearly sure to prove illusory. I have shown the objections necessarily entertained by the Profession (as part of the natural history of Lawyers) to changes generally in the Law, and justly entertained when the changes proceed on no fixed principle and through indefinite periods of time. The public, on the other hand whose interests are paramount in the matter, pay so little attention to the subject that they are very apt to adopt all the notions, and imbibe the prejudices of those whose interests are certainly not coincident with their own. The consequence is that an unsuccessful or an incomplete measure of Law Reform enables so many plausible arguments to be urged against alterations generally, that the progress of improvement is arrested and the happy opportunity lost of basing a solid reform on principle.

27. But I have shown the remarkable unanimity which exists as to one broad principle, viz. the advantages of a uniform system of procedure (*supra*). How easy it would be for the Legislature to adopt this principle at once and to call upon the legal authorities to work out the details! The readiness with which the Judges would lend themselves to such a task, is shown by the new rules which the Lord Chief Baron and other Judges have lately framed for the summary procedure of the Small Cause Courts in England. And notwithstanding the disparaging observation of M. Comte, I am bold to say, that with the assistance of some of the Gentlemen at the Bar of this Presidency, we would

(a.) I had intended to have subjoined a synopsis of different forms of procedure as used in English Courts and elsewhere, but I am deterred by the fear of making this Minute too bulky, and content myself with subjoining a sketch of proceedings in the French Courts, as a specimen, not a model, of a uniform mode of procedure for all Civil Law disputes.

See Appendix C

produce in three months a set of rules, forms and draft pleadings, with blanks to be filled up after, oral discussion at the Bar, which should enable a uniform system to be applied to the whole civil business of the Court. (a)

“bringing under the eye of
“the practitioner the several
“alterations and modifications
“made by the numerous Sta-
“tutes and Rules of Court of
“late years”—so many more
alterations were made in the

28. The unanimity I speak of must, however, I suppose be confined to Sir Lawrence Peel, and Sir Henry Seton among the Calcutta Judges, for the subsequent Minute of Sir J. P. Grant shows, that he, like Sir Henry Roper, considers the marked distinction between the administration of Law and Equity, as having contributed more 'to the singular perfection of English law' 'its certainty,' and "the celerity, and cheapness of common law proceedings" than the most philosophic system founded on all the experience of mankind could desire. And both Sir J. P. Grant and Sir H. Roper carry out their views logically enough by intimating that the true reform of English law in India would be by locating a Court of Chancery and a Chancellor by the side of the Supreme Courts at all the Presidencies!

29. But, I repeat, Sir Lawrence Peel recognizes, as fully as the Law Commission and myself, the advantages that would ensue upon the adoption of a uniform system of procedure for all sides of the Court. He accompanies the statement of this proposition with the qualification that such uniform procedure should not be introduced at once, but that successive steps should be taken towards the end which he admits to be so desirable. I have endeavoured to combat those latter views by referring to the evils, so well recognized by the profession, so equally apparent to the public when once their attention is called to the matter, of frequent changes in the law. It only remains for me now to examine the *môde* in which Sir Lawrence Peel has dealt with the main principle, and the *first steps* which he has proposed in the direction we are both making for.

30. My objection here is that Sir Lawrence Peel has taken a false step by transferring a quantity of Equity matters to the Common Law, and that the true course should be to invest the Court of Equity with the power of dispensing the law generally. The common law is hampered with all the starched and stiff formulas, which, as I have shown, belong to the jurisprudence of early nations. Equity is happily emancipated from all such distressing impediments to the attainment of justice, and as the growth of a later age, of a deeper philosophy, and of a more refined system of ethics, it is well entitled to perform the office which it constantly exercises of pronouncing the imperative rule of law in contradiction to the narrow dictates of the Courts of Record at Westminster Hall.

31. There is a minor objection to be made, and it is worth making, because it appears to me to show that my learned friend has not steadily kept in view the principle of introducing uniformity of procedure with which he set out. He has in my opinion very wisely selected the best portions of the different systems for eliciting the truth which are now in operation in the Supreme Courts, with this view he has adopted the principle of *vivâ voce* exami-

nation on the Equity side, and he has also introduced into the Common Law that grand instrument for eliciting the truth which distinguishes Equity and almost compensates

(a) Lord Langdale's recent description of the powerful effect of discovery is worth copying in this place.

In Equity. "Every defendant is bound to discover all the facts within his knowledge and to produce all documents in his possession which are material to the case of the plaintiff. However disagreeable it may be to make the disclosure, however contrary to his personal interests, however fatal to the claim upon which he may have insisted, he is required and compelled under the most solemn sanction to set forth all he knows, believes or thinks in relation to the matters in question. The plaintiff being subject to the like obligation on the requisition of the defendant in a cross bill the greatest security which the nature of the case supposed to admit of, is afforded for the discovery of all relevant truth, and by means of such discovery this Court, notwithstanding its imperfect mode of examining witnesses, has at all times proved to be of transcendent utility in the administration of justice." Per Lord Langdale, *M. R. Flight v Robertson*. 8 Bea. 34.

(a) See further upon this point a very able paper by Mr. Wallace of the Bombay Bar, which I have subjoined to this Minute. That gentleman having paid much attention to the discussions which have taken place on this subject, and being very conversant with Equity pleading,—I requested him, prior to commencing this Minute, to favor me with any observations that might occur to him as to the practical working of the Act under consideration. His memorandums unfortunately came too late for me to make any use of them, except what I consider the best use, i. e. to lay them before the President in Council. See App. D.

side with the improvements in examination adopted from the Common Law, and of discovery according to the new mode proposed by Sir L. Peel with Sir H. Seton's valuable work on decrees and Chitty's Forms available for the Judges, admitting that the Court with these aids could administer the whole corpus of the English Law, the question is still behind as to the mode in which the matters in dispute should be brought before the Court. With the opportunity of examining the parties *vivâ voce* at an early stage of the suit and by adopting that lucid arrangement which only exists in the Ecclesiastical Courts, of having all the allegations of the parties broken up into distinct articles or paragraphs, it may be plausibly argued that the principal evils and redundancies now complained of in Equity pleadings would disappear. In a word the Gibraltar system which I adverted to in my first Minute, of bringing

for its other defective procedure, (a) viz. discovery by the parties on oath. But in introducing this novelty into the Common Law he has not adopted the analogy of Equity, but has in fact made the discovery to be given on the two sides of the Court completely different proceedings. By Sir L. Peel's scheme a party at Law may be examined by his opponent *vivâ voce* at any stage of the suit, by his new scheme in Equity he may also be examined *vivâ voce*, but only at a late stage of the cause after his answer has been reported insufficient, and after the time for filing exceptions has expired. How great the difference is between these two new modes of applying discovery, let Lawyers decide. (a)

32. But greater and more substantial differences exist between Sir Lawrence Peel and myself than any I have yet adverted to. Supposing that we both agreed (as I conceive we do) that the Supreme Court sitting on its Equity

every thing forward on petition and answer would be in force.

33. Still even this improvement which would probably not be approved of by Sir L. Peel (as he is one of the most strenuous supporters of the very different system of special pleading and as he still keeps up the distinction between bill and petition) and which certainly is not capable of being introduced under his Act, would fall far short of what in my solemn opinion are the fundamental principles of natural procedure. These are, 1st, the early appearance of the parties to the suit before the Judge; 2d, oral pleadings. And in approaching this part of my subject and expressing myself in a tone bordering, perhaps, upon dogmatism, I feel that I may without impertinence refer to the *viginti annorum lucubrationes* on all subjects connected with law and jurisprudence, which I have now nearly completed. It was my good fortune just before I entered the chambers of a special pleader to hear the great speech of Mr. Brougham on Law Reform in 1828, and very shortly afterwards to become acquainted with the works of Mr. Bentham.

34. From that moment to the present, I think, I may fairly assert, that I have never lost an opportunity, whether in conducting the technical business of a pleader's office, practising at the Bar, reporting the decisions of the Court of Queen's Bench, visiting the Law Courts of Continental nations, or studying the works of theoretic and practical writers, of endeavouring to make myself acquainted with the rationale of rules of procedure and the comparative value of the methods adopted for the ends in view. The advantages which Indian experience confers in this respect, and especially the Presidency of Bombay where a Court of natural procedure had sprung up under the tutelage of such men as Sir William Syers, Sir James McIntosh and Sir Edward West, are in my view so great that now when I am approaching the end of my legal career, and when I have arrived at a time of life at which hasty and inconsiderate opinions are not fairly presumable, I do not hesitate, even at the risk of being thought dogmatic, to express my opinions in the strong and confident tone which I have adopted above.

35. According to the theoretic views laid down by Mr. Bentham, the appearance of the parties before the Judge at the earliest stage of the suit is the simplest, the most rational, the most economic and most satisfactory method of settling the matter in dispute. In nine cases out of ten, it enables the suit to be disposed of at once without any expense, in the tenth case it brings the parties on the stage who know better than any one else what the real matter in dispute is, and enables arrangements to be made for the further conduct of the suit. The method is

eminently plastic and allows of the complicated embrangled case of the rich suitor to be equally well and carefully disposed of as the simple difficulty of the poor for which a five minutes audience will often suffice. It is moreover founded on the principles of common sense it is to be found occurring in the jurisprudence of all nations before chicanery has been allowed to raise its head, and seems so obviously to be the mode which reason would dictate for solving a difficulty as to make it a fundamental principle in natural procedure.

36. I feel bound to depose that all the experience which I have gained both from men and books confirms the truth of those doctrines. It is known that by the French Code a plaintiff cannot bring an action in the Courts of 'Premiere Instance' without having first summoned the defendant before a Juge de Paix to endeavor to compromise the matter. One of the latest writers on French procedure (a) whom I have consulted describes the great advantage which this regulation

(a) Rogron, Code de Procedure Civile expliqué, p. 26. Paris 1834.

works in the provinces where the Juges de Paix are known, although it is less operative in Paris and large towns from the little influence, or, as we should say in India, the low caste of the Judge before whom the attempt at conciliation is made. The Codes of Geneva and Brussels which have been framed with French experience before their eyes have adopted the same institutions, though as it would appear

(a) See Carre's Lois de la Procedure Civile, Tom 1, 3me ed par Chauveau-Adolphe. Paris 1843.

with considerable improvements, (a) and Lord Brougham for many years past in the House of Lords has been pointing with triumph at the successful operation of the same principle in the Cours de Conciliation of Denmark.

37. The practice of the Roman Law Courts in the days of the great classical lawyers, and who certainly did not live in "a state of society little removed from barbarism," enforced the appearance of the parties at the first

(a) Gaius IV § 15. Deinde cum ad iudicem venerant, antequam apud eum causam perorarent, solebant breviter ei et quasi per iudicem rem exponere. Lex XII. tab. Quum perorant ambo presentes.

See Holweg's admirable account of Roman procedure both under the Republic and in the times of the Classical Lawyers as well as under Justinian. Handbuch des Civil. Process Bonn 1834. The industry and knowledge of the learned German and the valuable letters of Symmachus (the earliest of Law Reporters) enable us to demur to Sir J. P. Grant's doctrine that we know very imperfectly the practical mode in which the Roman Law was administered.

stage before the Prætor, who in their presence and after hearing all their oral allegations (for written Pre-arranged pleadings arose as a subsequent abuse) either pronounced judgment if the facts were admitted, or assigned a mode of trying disputed issues by referring them to a *Judex*, to the *Judicium centumvirale*, or to *recuperatores*. (a)

38. The practice of our own Courts shows us that every approximation to this principle is a great advantage.

In the procedure of the Ecclesiastical Courts an arrangement prevails by which the parties are enabled to take the opinions of the Court at an early stage of the suit and before any great expense has been incurred. The evidence of the practitioners in those Courts before the Ecclesiastical Commission all agree to the great convenience which ensues from this course by which 'cases are often, heard and decided summarily without any evidence at all,' and the Commission consisting of some of the greatest Lawyers of the day (a)

(a) Lord Tenterden, Lord Wynford,
Chief Justice Tindal, Sir Herbert Jenner
Fust, Dr. Lushington.

stamp the practice with their approval. I witnessed a remarkable illustration of the efficacy of the practice in one of the visits which I have already mentioned to the District Courts at Ceylon. I have already described the defective state of the substantive law of that country. The Judges also for the most part have not been very happily selected. But the procedure which has been adopted upon fixed principles, and after careful consideration appeared to me most satisfactory, and to contrast very favorably with that which is to be seen in India. Every where I went I found the Court sitting at regular hours and the same interest exhibited by the natives and the same publicity shed over all parts of the proceedings as is exhibited at the most frequented Assize Town in England. The instance I am referring to, was at a trial at Matura before a Native Judge. The action respected the right to half a field which was claimed by three different parties, and the points at issue were supposed to be raised by the written pleadings which the Home Government had insisted upon when they otherwise sanctioned the Code of Procedure, which had proposed pleadings by word of mouth. At this trial, however, the points were as we so often find with special pleading, by no means clearly raised. But the parties being all in Court the Judge by a few skilful questions was soon able to elicit what the true points at issue were. A very well fought trial on nice points of law and conflicting evidence then ensued of four or five hours duration; the Judge laid down the Law and summed up the case to the Jury of three Singalese, and a verdict was given which appeared to me as it did to the learned Judge to be perfectly satisfactory. In reference to that gentleman, I think it only due to him to state that in my opinion few Judges on the Bench in England could have conducted this cause more satisfactorily, and the school at Serampore which formed Mr. DeLivera (a Cingalese of distinguished family although of Portuguese name) may be justly proud of its pupil.

39. Lastly, the opinion of the British Legislature on the subject is very clearly expressed by the provisions which it makes to secure the presence of the parties before the Judge in all the Acts which have been passed of late years for the simplifying of procedure in the causes of the

poor. And as further original testimony I have my own personal experience in the practice of the Small Cause Court during six years and upwards, and I unhesitatingly appeal to all those conversant with the practice of that Court; whether Barristers, Officers of the Court in which regular procedure prevails, or suitors, to confirm my opinion as to the manifold advantages derivable from the early appearance of the parties before the Judge.

The next great principle in dispute is oral pleadings. And here, I find myself at variance with the opinions, to a certain extent, even of the Law Commission with whom on all other points I so cordially concur. The system of special pleading has been the object of such unbounded eulogy amongst Common Lawyers, it forms such an integral part of the administration of the Common Law, that a knowledge of it is justly esteemed essential to every one who claims the reputation of a good Common Lawyer, and therefore it is almost impossible for one educated like myself in the Common Law to take an unprejudiced view of the question. I have always been of opinion that the system is wholly inapplicable to India, and although from time to time, and very frequently in the course of my professional life in England, I could not fail to be struck with the numerous instances of injustice which its rules occasioned, I was still withheld, by the overpowering authority of great names who had pronounced on the subject, from examining the question for myself on its own merits, and though disposed to doubt, I was by no means prepared to deny its claim to be considered 'a fine juridical invention.'

40. But in preparing myself to write the present Minute I determined to adopt the only sensible method of inquiry into a disputed question, viz., that, laid down long ago by Descartes, of considering the question as *res integra*; and I accordingly commenced an examination *ab ovo* of that which its votaries call a science and have very carefully gone through the treatises, the reports and the acts of the Legislature relating to special pleading. Not, as formerly, with a mere view to learn the rules, but, to ascertain the value of them and their capability of being applied universally as a fine juridical invention should be for the discovery of the truth. It has been a long and tedious enquiry, but having made it, I feel bold to say that special pleading is founded on principles opposed to the dictates of reason, and that even on its own principles it has proved a failure at every period of our legal history. (a)

(a) Vide Appendix B.

41. This is strong language to use, but I derive the proofs of it out of the mouths of the most revered authorities in the Law, and out of the continued attempts of the Legislature at all periods of our history to remedy the evils which as I conceive are inherent in the system and irremediable.

42. I forbear from wearying the Government with the reasoning which leads me to form the above opinions though in order to demonstrate that they have not been adopted without care and deliberation, I am studious to set out the grounds of them in the Appendix. I am well aware, however, that on a question of this kind, that which must principally prevail with a Government, is, *opinions*, the *opinions* of persons most conversant with the subject matter, and I have always felt the great disadvantage which mine must labor under at Calcutta and with the Home Authorities when compared with the opposite views of one so eminent, so able, and so well known, as my learned friend Sir Lawrence Peel.

43. It is true that I have been enabled to elicit the favorable testimony of some of the most distinguished men on this side of India whose personal experience has enabled them to form an opinion whether the schemes proposed are those of a visionary or of an industrious practical man, and whose conversance with native habits and existing systems of judicature justifies them in speaking authoritatively on the applicability of the system of procedure which I propose, to Indian Courts of Justice; and I may mention without any breach of official etiquette the names of the Honorable Mr. Anderson, Sir Henry Pottinger, the Honorable Mr. Reid and the Honorable Mr. Willoughby. When Sir George Arthur was at the head of the Bombay Government I induced him to consider carefully the whole discussion, and pointing out to him what I declared to be a successful experiment (though to a partial extent) in operation at Bombay of the system which I was recommending, I requested him to enquire for himself amongst the principal Natives and Europeans who were conversant with the practice of the Small Cause Court, as to whether I was right or wrong in the favorable account I gave of it. His Honor was kind enough to make this enquiry and was so satisfied with the result, that nothing but accidental circumstances (I believe) prevented the Bombay Government from endeavoring to set on foot the experiment at this place on the large scale originally recommended by the Law Commission.

44. In my view a noble opportunity was then lost, and three valuable years have passed away unprofitably. At that period the Supreme Court was most favorably organized for the experiment. The Puisne Judge made an offer by which much additional drudgery would have been willingly undergone by him, and, the then Chief Justice Sir Henry Roper being altogether hostile to the measure, a most vigilant tribunal of Review would have been in existence to correct misdecisions or too hasty innovations.

45. I confess that I am not altogether disposed to renew that offer at the present moment. Whether that

three years additional residence in the tropics have produced their usual effect on a European constitution, or that I do not take "fortune's *buffets* and rewards with equal thanks." I conceive that it is not expedient for me now to undertake more than my own fair share of duty. At the same time I would not have inflicted upon the Government the trouble of reading this long Minute if I were not about to conclude it with a practical suggestion.

46. Bombay is extremely favorably circumstanced for an experiment in Law reform. For 48 years past it has presented the example of the best Small Cause Court in the British Empire. Sir David Pollock and myself have lately extended the jurisdiction of this Court to so large a sum and over such a large field of law that there is no reason, except the supposed conflicting interests of practitioners, why it should not be extended indefinitely.

47. The community and the profession are therefore quite familiar with summary procedure and the Judges as shown by the late new Rules are favorable to Law reform. My proposition then is, that the experiment of the Law Commissioners' Court as originally proposed by them should be conducted at Bombay by the Judges of the Supreme Court. To carry out this experiment however, but equally so to make the Supreme Court of either Bombay or Madras efficient, whatever be the system of procedure, a third Judge is absolutely indispensable. And as I have stated the grounds of this opinion fully in a letter to the Bombay Government where I have endeavoured to show that the interests of justice require this addition to the Bench quite as much as the enactments of the Legislature whose provisions have been tacitly set aside, I beg leave to transmit copies of my correspondence with the Bombay Government on the subject, (a) I am inclined to hope that as I point out there a mode by which the demands of *justice* and of *law* can be satisfied without any additional expense, Government may be not ill satisfied to have the subject again brought to their notice.

48. I may now sum up shortly my opinions on the question proposed to us by the Hon'ble the President in Council. For the reasons which I have given I do not think it desirable to apply so much of the principles of Sir L. Peel's Act as involves organic changes in the Supreme Court to the Presidency of Bombay. This Draft contains many other provisions of a rather multifarious nature, many of which require a careful and separate consideration. Arrest on mesne process is one of the most important of the subsidiary alterations. I have thought a great deal upon this subject and should not be able to convey my opinions here with reasonable brevity, and as the question is now undergoing grave discussion in England where the wants of a Commercial Community are making themselves heard in the Legislature, it appears to me that it would be premature at this

moment to bring it forward for Legislation in India. The same remark applies to many of the minor alterations proposed by Sir L. Peel, *primâ facie* they appear to me judicious, but I do not quite see the extent of them, and as they are accompanied by no preamble, a cursory perusal does not readily catch the principle on which the Legislator is proceeding. But as to all these minor provisions the remark may be made that they are not called for by any pressing immediate evil, and therefore as a large measure of legislation is required on another portion of the same field, my general conclusion is that it would not be expedient to apply any part of Sir Lawrence Peel's Act, at present, to Bombay.

49. With respect to the Draft Act of the Law Commission, I have already stated my proposal that the original Draft framed by the Commission in 1843 should be enacted for Bombay, with some slight modifications which I will state immediately. The reasons why I make this proposal are that the original Draft is founded on a broader principle than the revised Draft, and if the new Court presided over by a Supreme Court Judge is capable of dispensing justice in cases up to Rupees 600 in amount, it is capable of doing so to all amounts. Lawyers well know that this mechanical division of causes on an arbitrary limit of £. s. and d. is the most flimsy of all distinctions. And the ordinary objection of it being safer to proceed gradually and to make the *experimentum in corpore vili* does not apply here because the well devised provision of the Law Commission by which the Supreme Court and the new Court would proceed *pari passu* is calculated to prevent injury to any individual: The public would witness the proceedings of the two Courts and self interest would select the best tribunal. If plaintiffs did not get justice in the Court they would not sue there, if defendants were the injured parties they would get redress in the superior tribunal.

50. The modifications on the Commissioners' plan which I would desire to see introduced are, first to place the Court under the superintendence of a Judge of equal rank and emoluments with the Judges of the Supreme Courts. He ought, I think, to be a member of the Supreme Court Bench, and if as I pointed out in a former Minute, all the Civil Law business of the Presidency was transacted before a single Judge in the first instance and the appeal lay to the Bench of three Judges, exactly the same check upon misdecision as now exists in England, would be introduced for the first time into India. The provisions of the Law Commission for obtaining Assistant Judges (even perhaps out of the Laity) are I think sound in principle, but I also think it is most important, especially at the starting of a new system, that the Head of the Court should be invested with all the prestige which rank, salary and *names* of honor confer. The second suggestion which I would beg to make is to abolish all mention of special

pleading. To leave a portion of it, above all to leave the name, is to leave an opportunity to the *nimia subtilitas* of Lawyers to reintroduce all the specialities of the system, colour, duplicity, departure, replication de injuria, the rule in Crogate's case, &c. &c., the prolific offspring as Spenser sweetly sings which is sure to emanate from error just as from the black mud of Nile—

“ Wherein there breed

“ Ten thousand kinds of creatures, partly male

“ And partly female, of his fruitful seed :

“ Such ugly monstrous shapes elsewhere may no man reed.”

51. Having thus answered to the best of my ability the questions of your Honor in Council as respects Bombay, may I be permitted to add that having ventured to treat the subject as one not limited to locality, I presume to think the general conclusions I have drawn are equally in some respects, perhaps more, applicable to Calcutta than to Bombay. At the former capital I understand that the demand for a system of cheap procedure is the most pressing want of the day. The provisions which happily exist at this Presidency for a tribunal of summary procedure have never been introduced at Calcutta, and the difficulty might be perhaps great now to establish them by judicial authority alone. In such case the two Acts in question presenting themselves simultaneously for adoption, I think there can be no doubt whatever as to which best provides for the immediate evil.

52. I will now conclude this long discussion with the observations of a Judge whose European reputation exceeds, and, with the exception of our own incomparable Hale, perhaps justly exceeds that of every other individual who has adorned the Bench. The President d'Aguesseau during his exile at Fresnes availed himself of the opportunity to draw up a Minute on Law Reform. And in discussing the imperfect results which the celebrated Ordonnance of 1667 had produced he attributed them to the very heavy charges which still pressed upon suitors. After advocating strongly their diminution he adds these remarkable words “ Après tout le premier devoir de la royauté est de rendre ou de faire rendre justice a ses sujets. C'est une dette que le roi paie quand il les met en état de la recevoir gratuitement, et il ne s'en acquitte qu' imparfaitement, lorsqu'il leur vend, en quelque maniere, ce qu'il est obligé de leur donner.”

I have the honor to be, &c.,

(Signed) E. PERRY.

SUPREME COURT,
Bombay, May 16th, 1847. }

APPENDIX A.

Copies of Correspondence between Sir Erskine Perry and the Bombay Government respecting the appointment of a third Judge.

From Sir E. PERRY,

To the Hon'ble the GOVERNOR of BOMBAY in COUNCIL.

Dated the 18th October 1844.

HON'BLE SIR,

In reference to the letter of Mr. Secretary Escombe, of the 22d August last, transmitting a copy of the Law Commissioners' Report dated 15th February, and requesting the sentiments of the Judges on the recommendations therein contained, I have the honor to state that I have already so fully put before the Government the arguments which appear to me to weigh in favor of the Law Commissioners' proposal that I avoid further trespassing on the subject.

2. There is a point, however, connected with the practical working of the scheme to which I slightly alluded in my letter to Government of May 22d 1844 (para. 40) but which is of such paramount importance, not only to the carrying out of an improved system of Judicature, but also to the efficiency of the Supreme Court generally, that I propose to consider it here at somewhat greater length. The point in question respects the power and mode of appeal from the decision of the Judge who tries the cause in the first instance, to some other tribunal: such power of appeal pervades the English system of Judicature generally, its existence is essential in every theory of a Judicial Establishment, and it would be vain to expect that a new simple Court like the one proposed by the Law Commission would work satisfactorily without it.

3. So long as the Bench of Bombay consists of only two Judges the appeal from the decisions of the single Judge can only be to the Chief Justice as it would be highly inconvenient and unseemly to allow of such a division of the duties as shall subject the decisions of the latter to be reviewed by a junior authority. But the consequence of this would be that, if the business of the new Court were to be in any proportion to its facility of access and diminished costliness of proceedings, nearly all the working duties of the Court would fall upon the Puisne Judge, and the Chief Justice would only be called upon for the occasional duties of hearing appeals. It is clear that such an arrangement could not be a permanent one, and al-

though the experiment might be tried for a period (not indeed altogether satisfactorily) without any addition to the strength of the Court still it cannot be put forward too prominently that the scheme essentially requires a full Bench of three Judges.

4. Possibly to enounce this proposition might at once prove fatal to the recommendation of the Law Commissioners, as it is understood that the Court of Directors view with reluctant eyes the expenditure at present appropriated to the Supreme Courts, but in point of fact to make these important tribunals efficient, the provisions of the Act of Parliament which contemplated a third Judge ought to be carried into effect, totally irrespective of any proposed alteration.

5. Whenever a Bench of two Judges exists it is inevitable that differences of opinion should occasionally exist, and experience has shown that sometimes both in India and in certain of our Colonies, these differences become aggravated into a habit, and form rather the rule than the exception to the ordinary decisions of the Court. The unsatisfactory result from this with respect to the course of justice is too evident to be noted. The legal capacity of Colonial Judges will be found generally to be pretty much on a par, without reference to their respective positions on the Bench, and therefore in every case where a difference of opinion exists the chances are equal as to which of the two Judges is right, and if a casting vote is given to the Chief Justice, it follows from the same doctrine that at least half the decisions are wrong.

6. In the English Law Courts, where the full Bench consists of four Judges, the rule of practice upon an equal division of opinion is that no decision is pronounced, but the Charters of the Indian Supreme Courts have provided that, upon such difference existing, the decision of the Court shall be according to the opinion of the Chief Justice or Senior Judge. This provision was only introduced to meet exceptional cases, as the Supreme Courts of Madras and Bombay were intended to consist of three Judges, but from the practice which has grown up of not appointing a third Judge to these Courts, the provision applies to every case that comes before the Bench, and the effect of it is to vest the whole powers of the Court in the Chief Justice alone, with a mere faculty to the Puisne Judge of expressing his opinion as to the question of Law or Fact.

7. Objectionable as this is in theory and as it has occasionally proved in practice, and the more so because in 99 cases out of a 100 there is no appeal from the decision of the Chief Justice,* still I am clearly of opinion that so long as the Bench is composed of two Judges only, the practise should be persevered in, rather than the opposite

* Appeals lying only when the sum at issue amounts to Rupees 10,000.

one of allowing no decision at all to pass on a division of the Bench. The latter rule certainly operates no evil in England with a Bench of four Judges, but in India with a Bench of two, and where the moral influence of colleagues of enlightened public opinion, and of a large independent profession, is wanting, it appears to me quite clear in considering how men's minds are constituted and the operation of local circumstances, that occasionally some wrong-headed Puisne Judge would find his way to the Bench, and there by his perverseness or vanity would totally impede the efficient working of the Court.

8. The evils therefore which attend the constitution of a Court composed of two Judges appear to me so great and so inevitable that directly the judicial business is found to be more than one individual can get through, the next number available to constitute an efficient Court of Justice is three, and not two, and this also was the opinion of the Legislature in establishing the Supreme Court.

9. The ready objection that would be raised against the proposition of bringing up the Court to its full number will be that there is not sufficient work for two Judges, but this objection for the reasons I have assigned appears to me wholly insufficient, I do not believe that one man, however vigorous he might be and at the most active period of his life, could perform the judicial duties at Bombay. Even in Sir James Mackintosh's time he used to feel the weight of responsibility awfully oppressive, but the increase of the business since 1812 when he was on the Bench, may be judged of by the Criminal Sessions which with him rarely lasted more than two days, whereas now we occasionally have them from two to three weeks duration.* I doubt also whether politically it would be deemed expedient to entrust the great power which is committed to the Supreme Courts of India to the unrestrained hands of one individual.

10. But secondly it is very easy to add to the duties to be performed by the Judges, and I have no doubt that the public advantage would be much consulted by it.

11. If the new Court is to be established ample work is at once carved out for the three Judges sitting singly and alternately for four or five days every week, and as a full Court of Appeal every week, or as the business required.

12. But irrespective of the above proposal, and looking only to the present legal institutions of the Island as they exist, there is much judicial business that might be advantageously transferred to the Queen's Judges.

1st. The Petty Sessions which are held once a week before gentlemen unlearned in the Law, and which try larcenies under 20 Rupees, would in all that respects solem-

nity, exemplary effect, and legal knowledge, be far more satisfactorily conducted by a professional Judge, and the attention of the Stipendiary Magistrates would then not be withdrawn from their Magisterial duties.

2d. The causes above Rupees 50 and under Rupees 80 which are now tried before the Court of Requests, would be also much more satisfactorily tried before a Judge. By *satisfactorily* I mean in respect to the suitors themselves, and ample proofs exist of this, though it would be tedious now to set them forth.

3d. There is a small class of cases which are referred to the Chief Magistrate of Police as Revenue Judge, but which are so foreign to the ordinary character of his duties, that I think they also would be much better appropriated to the Supreme Court especially as they are often conducted by Counsel, who of course are very superior in legal attainments to the Civil Servant presiding as Judge.

4th. Wherever a Bench of three Judges is established it will be found, as always has been the case* when an efficient Court succeeds an inefficient one, that the legal business before it will increase,

* Witness the business which followed Sir Matthew Hale in his transit through the different Courts of Westminster Hall and a similar fact is recorded of Lord Keeper North by his brother and biographer.

exactly in the ratio that the confidence of the public will accompany the improved tribunal.

13. The above considerations appear to me to be sufficient to convince all those, who will examine the principles on which a Judicial Establishment should be constituted, that an Indian Bench cannot consist safely and efficiently of fewer than three Judges, and it also would seem that ample judicial business exists to occupy the time of such functionaries, and if such be the true conclusion an additional expenditure of some Rupees 50,000 per annum, should not, I apprehend, form an obstacle against making the legal tribunals of the country efficient for the functions they are required to perform.

14. But as financial objections are often those upon which a proposal otherwise unobjectionable is disposed of, I beg again to call the attention of Government to a fund which appears to me to be available for the subsistence of a third Judge. In para. 48 of my Minute to the Law Commissioners of 3rd June 1843, I pointed out that unclaimed Estates to the amount of eight lakhs of Rupees existed in the hands of the Ecclesiastical Register (on the 1st January of this year Rupees 8,34,431,) and that the interest of this might well be appropriated to the public service. Numerous precedents for such a course exist in the Acts of Parliament making a similar disposition of unclaimed dividends both of the Bank of England, and of the Court of Chancery, and the clearest principles both of justice and expediency appear to me to warrant it.

15. The Supreme Court might thus be restored to its original efficiency with scarcely an additional charge to Government over the present expenditure, and with respect to the immediate subject of this letter, an excellent Court of Appeal of three Judges would be available for every case tried before the single Judge according to the natural procedure recommended by the Law Commissioners.

I have the honor to be, &c.,

(Signed) E. PERRY.

POONAH, }
October 18th 1844. }

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No. 483 OF 1845.

Judicial Department.

FROM THE GOVERNMENT OF BOMBAY,

TO THE HON'BLE SIR ERSKINE PERRY, Knight,

Puisne Judge of the Supreme Court of Judicature.

Dated the 18th February 1845.

HON'BLE SIR,

We have the honor to acknowledge the receipt of your letter dated the 18th October last, relative to the necessity for appointing a third Judge to the Bench of this Presidency, in order to secure the satisfactory working of the scheme alluded to in the 40th para. of your letter dated the 23d May last, viz., the Establishment of an efficient Court of Appeal for cases tried before a single Judge.

2. In returning our warm acknowledgments for the great trouble you have taken to bring this important subject so clearly to our notice and that of the Law Commission, we beg to inform you that with the view of considering your proposal of appropriating the amount of unclaimed Estates to the support of a third Judge, we should be glad if you would direct the proper Officer of the Court to furnish us with a Return showing from what period the Estates, which you would propose to apply to the purpose in question have been in the hands of the Ecclesiastical Registrar.

We have, &c.,

(Signed) G. ARTHUR.

„ THOS. MACMAHON.

„ J. H. CRAWFORD.

„ L. R. REID.

BOMBAY CASTLE, }
18th February 1845. }

From the Hon'ble Sir E. PERRY, KT.,

Puisne Judge of the Supreme Court of Judicature,

To the Hon'ble the GOVERNOR of BOMBAY in COUNCIL.

Dated 22d March 1845.

HON'BLE SIR,

In reply to your letter of the 18th February last, requesting a Return showing from what period Estates have been in the hands of the Ecclesiastical Registrar, I have now the honor to forward to you the Return required.

It was not found possible with respect to the older Estates or practicable with those of more modern date to give the exact date of each portion of the Estate coming to the hands of the Ecclesiastical Registrar, but the dates of the grants of Administration have been given instead, and these show the precise period when the collection of each Estate commenced.

The result of this Return is that nearly nine Lakhs (Rs. 8,84,930) belonging to the Estates of deceased parties remain unclaimed, the greater portion of which it may safely be assumed never will be claimed. The parties entitled die off without heirs, or there are disputes about heirship, or the sums locked up are too insignificant to take trouble about, or the vouchers to establish the claim are not forthcoming. It is clear that in all such cases the expenses requisite to establish the claim with the certainty which a Court of Justice is bound to require are quite sufficient to deter individuals from prosecuting any doubtful right, and therefore, although it is probable that the true heirs might be discovered in most of these cases, if the same sort of trouble and expense were undergone as are occasionally submitted to in tracing out the heir to a dormant peerage, the absence of any sufficient motive for such an expensive enquiry is quite sufficient to account for the accumulation of unclaimed Estates above noticed.

The same result which has arisen at Bombay and probably also at Calcutta and Madras, has arisen in all cases where funds are preserved inviolably for their true owners under a Stable Government. The suitors cash in the Court of Chancery, unclaimed dividends at the Bank of England, unclaimed Prize Money in the Treasury, are all instances of this in public establishments, and I believe the old established Banking Houses in Europe, for instance the Bank of Amsterdam, Childs in Fleet Street, &c. &c. &c. have all a similar experience to record as to unclaimed deposits.

When funds thus become accumulated in public establishments the question arises sooner or later whether some portion of them shall not be devoted to the public service, and it appears to me that the time has arisen at Bombay for devoting the interest on these unclaimed Estates to the support of the institution by which the Estates themselves have been preserved.

Some little attention will of course be required for the details of an act having this for its object, but I have already referred to the numerous precedents for such legislation in the Statute Book of Great Britain, and I will here only mention two particularly. The first (which is the earliest I have discovered) is the 12 Geo. 2 C. 32 (1739) and it disposed of £35,000 of the Suitors' Fund towards payment of salaries of Officers of the Court of Chancery. The Second the 9th Geo. 4. C. 50 has reference to the East India Company, for it disposed of the unclaimed Prize Money belonging to Soldiers and Sailors in the service of the Company towards the support of certain Public Institutions.

I have, &c.,
(Signed) E. PERRY.

SUPREME COURT, }
22d March 1845. }

From Sir E. PERRY, KT.,

Puisne Justice, Bombay,

To the Hon'ble the PRESIDENT of the COUNCIL of INDIA
in COUNCIL.

Dated 2d June 1847.

HON'BLE SIR,

I have now the honor to forward to you an Appendix B. C. and D. to my communication forwarded to your Honor in Council on the 16th ultimo.

I have the honor to remain, &c.,

(Sd) E. PERRY.

SUPREME COURT, }
Bombay, June 2d 1847. }

APPENDIX B.

ON SPECIAL PLEADING.

I have reserved for this place the statement, 1st, of my grounds for believing that the artificial rules belonging to special pleading are not supportable on sound reasoning; and 2d, of the proofs of my assertion that in practice it has always proved a failure. But to support the former branch of this proposition a volume instead of a note would be required, I must therefore confine myself to the statement of what I consider the most salient objections.

The main rules of special pleading have for their object the speedy production of an *issue*, for the subordinate ones as to *singleness* of issue and *certainty* although classed by Serjeant Stephen as of equal rank with the former (a) would seem, so far as a reasonable object is in view, to be based on the expediency of urging on the parties to trial as quickly as possible.

(a) Principles of Pleading
168, 2d Ed. 1827.

At all events the speedy production of an issue and the singleness of issue are so closely connected that it is difficult to reason upon them separately. Now it appears to me that the main object aimed at by these rules is altogether collateral or subsidiary to what the main object ought to be of rules of procedure. When parties are at difference respecting any legal claim or obligation and resort to the tribunals of their country for its settlement the true object is that these differences, all the differences in dispute, should be settled. It is no doubt expedient to adopt any set of rules by which unnecessary delay shall be prevented, but if these rules shut out the true question in dispute they defeat the main object for which Courts of law are established.

The most ardent partizans of special pleading cannot deny that the rules which drive parties to an issue either on form or substance frequently tend to prevent the consideration of the case on its true merits. For "a decision on the issue whatever be its nature is in general decisive of the facts of the cause;" (a) and again "as the issue is the question which the parties themselves" (say rather their special pleaders groping in the dark) "have by their pleading mutually selected for decision, they are in general considered as having mutually put the fate of the cause upon that question" (b). The palliation offered on behalf of this admitted tendency of the system to decide on mere forms, is, that Judges of modern times are liberal in allowing amendments. But conceive the word liberality being applied to a permission by the Judge for the defendant to bring forward his true defence.

(a) Stephen on Pleading. 504.

(b) Ib. 137

It cannot, however, be too strongly insisted upon that the rule of the English Courts is, not to allow of amendments after solemn argument on demurrer, and the true rule is that which is cited from Serjeant Stephen above with the emphatic words in his own italics. What I therefore ventured to assert in 1843, and which has been the subject of much criticism, I now beg to repeat with the increased experience of four years attention to the subject "the volumes of reported cases are full of decisions where the interests of suitors have been concluded *for ever* on some blunder or other of their legal advisers, and wholly irrespective of merits:" and as authority on these subjects is

that which principally guides opinion, the following extract from an article on Lord Abinger in the Law Review (where the fine Roman hand betokens its noble author Lord Brougham) will not be without its weight. "The effects of a slip or blunder or oversight at law are almost always irremediable, not seldom fatal." Law Rev. Vol. 1.

Again, the rule requiring singleness of issue constantly shuts out the whole case from being brought before the Court. It is so manifestly contrary to justice, that although submitted to in all its rigor for some hundreds of years the warmest admirer of the 'science' has never ventured to impugn or criticize the great innovation made upon it by the Statute of Anne. But although a defendant may by the authority of that Statute plead several matters by way of defence, the principle of the rule is still in operation, and a plaintiff is not able to give the several answers in reply which the facts set up by the defendant would often admit of. And as judicial construction has allowed a defendant to plead a great many facts in one plea as amounting to one defence, and the plaintiff from the limited operation of the replication *de injuriâ* can frequently traverse only one of them, the effect of the rule, as I once heard it described by an old pleader in the Temple, is, that the defendant may tell as many lies as he pleases in his plea, the truth of all of which but one the plaintiff is bound to admit, and possibly at the trial he may not be able to disprove the only lie in *issue*.

Every other system of procedure with which I am acquainted enables a defendant to raise two defences, and it would seem properly. First, he has a right to say, the case alleged by the plaintiff even on his own facts does not found any claim against me. But secondly, I deny the facts. Every other system allows both plaintiff and defendant to bring their whole case before the Court. I think I have a right to conclude that the system of special pleading which does not allow of either of these courses, which is so contrary to universal practice elsewhere, is also contrary to the principles of sound reasoning.

The doctrine of *certainty* with its definitions of certainty to common intent, certainty to a certain extent, and certainty in every particular, and its off sets of variance, departure, negative pregnant, &c., appear but a developement under the system of special pleading of that over attachment to forms and love of subtleties which is said to be the peculiar vice of the legal mind. We have seen how it prevailed among the early Romans by the instance I cited from Gaius, the continental systems founded on the Civil Law are discreditably full of Chapters on "nullities," and in the minds of very many practitioners

(a) This is laid down solemnly by Rogron in his Code de Procedure Civile. the maxim *la forme emporte le fonds*, (a) is looked upon as one of unquestionable truth. I doubt, however, whether

(a) In the very last number of Exchequer Reports that has reached this country 14 M and W. part 5 there are the reports of seven cases following each other, in six of which the judgments proceeded not on the merits, but because the professional advisers of the parties had not been able to frame their pleadings correctly, and it would appear that the parties had leave to amend only in three of them. The general reader will recollect the result of the judgment in Reg. V. O'Connell where all the legal talent that Government could enlist on their side could not succeed in drawing up a record that should pass through the ordeal of a searching legal investigation.

in any system this adherence to certain established forms has caused so much evil as the excessive technicality which is required in special pleading (a) and the frequent fruitless attempts which have been made by the Legislature during several centuries to correct the evil would seem to show that it is altogether ineradicable.

I would add lastly, as a convincing proof to my mind that special pleading is not founded on broad principles of reasoning, that no one has ever suggested its applicability to any other judicial system. Of continental origin, it was soon abandoned in the countries which gave it birth, but even in England its claims to extension have never been put forward by any single jurist. That it should not have adopted in the Courts of Doctors' Commons is readily intelligible, but if it possesses the eminent advantage which Serjeant Stephen and the Common Lawyers claim for it, how can it be accounted for that it was never attempted to be applied to the great system of Equity which was built up by men educated in the Common Law, and eminently familiar with the specialties of pleading?

Supposing, however, that I have failed to prove that special pleading, as a system for bringing before the Court the disputed points in issue between litigant parties, is not founded upon principles that will bear the test of sound reasoning, and I certainly have neither time nor space to support my argument fully, it will be much more easy for me to prove the second branch of my position, viz., that special pleading, whatever be its theoretic merits, has always been a failure in practice. My proofs here consist of two classes of evidence. First, the opinions of Common Lawyers themselves, by which it will be seen that however warm their eulogies on pleading generally, the object of their praise is not the system as practised in their own day, but that of some remote period. And so, when we go back in our researches, we shall find the same reprobation expressed of existing practice, and all the laudation bestowed on the pleading of the good old times. The inference from this class of evidence is, to my mind irresistible, that if the able men whom I cite speak with reprobation of that which they have personal cognizance of, and praise that which they only know of by tradition and imperfectly, their evidence founded on personal experience is drawn from them by the resistless power of truth, their evidence, as hearsay evidence, on matters some hundreds of years previous is not worth attention.

The second class of proofs consists in a chronological arrangement of the Acts of the Legislature by which will be seen the attempts made for hundreds of years past to rectify the evils which special pleading had caused the community. The inference from these Acts I also look on as irresistible, namely, that the common sense of mankind had discovered from time to time that the fine juridical invention of the Serjeants and Countours was working them intolerable injury, 'Quoique qu' Hippocrate peut dire le cocher est mort.' 1st. Opinions of Lawyers on special pleading. Serjeant Stephen writing in 1827 points out very candidly the objections to the system; 1st, its tendency to decide the cause upon points of mere form; 2nd, the inconvenience of the rule requiring singleness of issue; 3rd, the abandonment of principle by the introduction of the general issue; 4th, and chiefly the excessive subtlety and needless precision of the system. But he thinks on the whole that the increasing cultivation of the science has made the course of practice more uniformly correct than in former times, and the inference from his work is, that no radical change was necessary. But this was not the opinion of the heads of the English Profession, for in 1833 the majority of the English Bench, as it is said, having decided to revert to what has been called the first principles of pleading, a Statute was passed by which a complete revolution was effected in the existing system. It may be too early perhaps to pronounce whether this great change is working well or ill, but it is sufficient to remark that some of the most distinguished English Judges have doubted the expediency of the New Rules, and the whole Irish Bench (as I understand from my friend Mr. Herrick of the Bombay Bar) have unanimously resisted the introduction of them into Ireland. However what I am now only concerned to point out, is, that the English Profession were dissatisfied with the system of special pleading as it existed in 1833. In 1794, a distinguished pleader, after giving the usual puff of the 'science when it is rightly understood,' admits that, at the time he was writing, "pleading seems to be involved in all that perplexity can suggest, or prolixity supply." "Lamentable at *present* is the increase of costs upon the suitor and that even in cases where he succeeds." Note by Serjeant Runnington to Hales C. L. 301.

In 1757 Lord Mansfield thus expressed himself—"The substantial rules of pleading are founded in strong sense and in the soundest and closest logic and so appear, *when well understood and explained; though by being misunderstood and misapplied, they are often made use of as instruments of chicanery.*" (a)

(a) Burr, 319.

About 1700 Lord Holt and his brother Judges introduced as an indulgence the plea of the general issue, which

is acknowledged to be a complete departure from the principles of pleading, and their reason for it is stated to be their "opinion that the rules of the science were somewhat

(a) Stephen, 199. "more strict and subtle than is consistent with the ends of justice." (a)

Sir Mathew Hale describing the pleadings of his own times (1630-70) states that as to their length and nicety they "far exceed not only that short yet perspicuous course of pleading which was in the time of Henry VI., Edward IV, and Henry VII., but those of all times whatsoever as our vast presses of parchment for any one plea do abundantly

(b) Hale C. L., 302, 5th Ed. witness" (b), and the reasons he gives for this degeneracy of pleading are so pertinent to the present discussion, so conclusive, as far as the authority of his great name is concerned, on the comparative expediency of written and oral pleadings that I transcribe the passage at length.

"First, because in ancient times the pleadings were drawn *at the Bar* and the exceptions also taken at the Bar which were rarely taken for the pleasure, or curiosity, of the pleader, but only, when it was apparent, that the omission, or the matter excepted to, was for the most part *the very merit and life of the cause*, and purposely omitted, or mispleaded, because his matter, or cause, would bear no better. But now, the pleadings being *first drawn in writing*, are drawn to an *excessive length, and with very much laboriousness and care enlarged*, lest it might afford an exception not intended by the pleader, and which could be easily supplied from the truth of the case, lest the other party should catch that advantage, which commonly the adverse party studies; not in contemplation of the merits, or justice, of the cause, but to find a slip to fasten upon; though in truth, either not material to the merits of the plea, or at least not to the merits of the cause, if the plea were in all things conformable to it."

"Secondly, because those parts of pleading which in ancient times might perhaps be material, but at this time are become only mere styles and forms, are still continued with much religion; and so all those ancient forms at first introduced for convenience, but *now not necessary* or it may be, antiquated as to their use are yet continued as things wonderfully material, though they only swell the bulk, and contribute nothing to the weight of the plea."

Lastly, Lord Coke in the work which contains the accumulated knowledge of his long laborious life, after giving the highest eulogies as usual, to the *science* of pleading generally, and, referring its golden days to a period three hundred years previous, viz., "the Reigns of Edward the Second, Edward the First, and upwards," makes this important admission, "when I diligently consider the course

of our books of years and terms from the beginning of the reign of Edward 3d I observe that more jangling and questions grow upon the matter of pleading, and exceptions to form than upon the matter itself and infinite causes lost, or delayed for want of good pleading." (a) Here then for 300 years

(a) 1 Inst. 303 a.
past is a list of witnesses, a *Catena patrum* of the most distinguished names in our Law admitting in the middle of their eulogiums of pleading that in their own time it was not *working well*. I now turn to the efforts made by the Legislature to afford relief, and in which the voice of the public may be faintly perceived as well as that of the profession. 2d Reforms in pleading by Parliament.

The Legislature commenced a series of Statutes so early as 1341 for preventing failures of justice by the errors which constantly occurred in setting out the pleadings on Record, and which the Judges used to hold, vitiated the whole proceedings. The 14th Edw. 3. st. 1 c. b., 9th Hen. 5. st. 1 c. 4., 4th Hen. 6. c. 3., 8th Hen. 6. c. 12., and 8th Hen. 6. c. 15. are all Statutes in this sense, and one would have thought had given the Judges full power to correct any clerical error, and to prevent any miserable technicality impeding a decision on the merits of the case. This was not so however, for at the time when (and this fact deserves to be most particularly noted) the practice of oral pleading at the Bar first began to be abandoned, and written pleadings

(a) See Lord Holt's description of the oral pleadings as they formerly prevailed at the Bar. 3 Salk. 128.
were prepared out of Court, (a) the evils inherent in such an artificial system became so apparent as to call for the remarkable Statute 32d Hen. 8 c.

30. The preamble is worth a careful study, but the following is a brief epitome.

For as much as before this time the parties in all actions have been greatly delayed and hindered in their suits "by reason of the crafty subtle and negligent pleadings" of the parties by which after verdict on the issues joined and the Justices ready to give judgment for the parties for whom the same issue was found, the parties have been compelled by the course of the Common Law to replead, &c., "which is thought as well a great slander to the said Common Law and to the Ministers of the same, as also a great delay and hindrance to the parties that they should not have their judgment when the issue had been found for them," and the Act then goes on to enact that after an issue tried judgment shall be given for the party in whose favor it is found any mispleading on the part of the parties, their *Counsellors or Attornies* notwithstanding. An excellent Statute, this, and if it had been fully carried out by the Judges, it would have prevented the necessity for the subsequent efforts of the Legislature to direct the decision of the Courts to merits and not to forms.

The next Statutes were the 18 Eliz. C. 14 and 23 Eliz. C. 3, which by applying a remedy to very minute specific errors, probably tended to aggravate the evils of excessive technicality, by leaving other errors not named to have their full or additional weight.

This would appear by the preamble of the next Statute 27 Eliz. C. 5, which is conceived in a more general spirit. It recites "for as much as excessive charges and expenses, and great delay and hindrance of justice hath grown in actions and suits by reason that *upon some small mistaking or want of form in pleading* Judgments are often reversed by writs of error, and oftentimes upon demurrers in Law given *otherwise than the matter in Law and very right, of the cause doth require*, whereby the parties are constrained

(a) Concluded *for ever*, or on some blunder of their legal advisers.

either utterly (a) to lose their right, or else after long time and great trouble and expenses to renew again their suit. And it enacts that after demurrer joined the Judges shall give judgment according as the *very right* of the cause shall appear without regarding any imperfection in form except such as the defendant shall specially point out with his demurrer.

The 21 Jac. 1 C. 13, recites the 32 Hen. 8 C. 30, concerning misleading, and 18 Eliz. C. 14, for the reformation of Jeofails and calls them "good and profitable Laws, by which many delays of judgment were prevented, and yet notwithstanding many things have and daily do fall out not yet provided for nor remedied by the laws before mentioned," and the Act then proceeds to cure many defects by which judgment was often stayed or reversed after verdict passing for the party on the merits.

We now come to the time of Lord Hale, and we have heard his opinion as to the state of pleadings in his day; here is the mode in which the Legislature attempted to apply a remedy. The preamble of 16 and 17 Car. 2 C. 8, states—"Whereas great delay, trouble and vexation hath been and still is occasioned to the people of this realm as well by arresting and reversing of judgment, as by staying executions by writs of error and supersedeas," and it then proceeds to enact that certain specified defects "in form or lack of form" shall not vitiate after verdict.

In the 4 and 5 Anne C. 16, the Legislature made another attempt to induce the Courts "to give judgment according as the very right of the cause and matter in Law shall appear unto them without regarding any imperfection, omission or defect, &c.," but this Act also has been as unsuccessful as its predecessors in carrying out the clearly expressed intention of the Legislature. During the remainder of the 18th century the only other reform attempted by Parliament on the system of special pleading

was the introduction of the plea of the general issue whenever they had occasion to mention Law procedure and this course also as we have seen was permitted by the Courts

(a) See 1 Lord Raym. 566. as "an indulgence" (a) to remedy evils which were too apparent to be denied.

Lastly, the 3 and 4 Will. 4 C. 42, introduces the total alteration in the practice of pleading which I have before spoken of, and which as a contemporaneous experiment may possibly not yet be sufficiently tested. But I feel sure that I express the opinion of the majority in the profession at Bombay, as well as my own, when I deplore the introduction of the new Rules into India, and wish that the Judges of 1839 had imitated the example of their brethren on the Irish Bench.

It results most clearly from this search through the Law Books to ascertain when it was that the science of pleading really did flourish, that the Reigns of Edward 1st to Edward 3rd are selected by the majority of panegyrists. Now I have already pointed out that during this golden period, the practice of pleading was exactly that which the Law Commissioners and myself recommend, namely, allegations by word of mouth by the parties and their legal advisers in open Court, and recordation of such pleas by

(a) It would appear that in the earliest times to which our legal records extend, the pleadings were written whilst the Court was sitting, but that subsequently the roll was carefully engrossed by the Clerk at his leisure from the notes taken in Court of the oral pleadings. See Sir F. Palgrave's introduction to the *Rotuli Curie Regis*, p. VI.

an Officer of the Court. (a) If certain artificial rules, such as those for duplicity, confession, or traverse, singleness of issue, &c., are observed in this pleading, the system is special; if only the rules of

logic are attended to, such as good reasoners use in all ratiocination then the system is natural—but in both cases the grand advantage of pleading orally, appears to me so obvious, so conformable to reason, so calculated to bring out the true question at issue and without any delay, that the more I study the subject the more I become convinced that the foundation of all rational procedure is the appearance of the parties to the suit in Court at the earliest possible stage, and oral pleadings by themselves or their Counsel.

I will conclude this note with a specimen from the

(a) Sir L. Peel seems to think that we know but little of the oral pleading of the early Lawyer, and he says "the practise of it is to be learned only from the year books." But seeing that the Y. B. are contained in 10 or 11 goodly closely printed folios, as well might it be said that we know nothing of the Roman Law except from the *Corpus Juris*, or of the early history of the Jews, except from the five books of Moses. One who knew the year books much better than Sir L. Peel or myself, has given a very in-

year books of the mode in which our old Lawyers used to conduct their pleadings, (a) and the special pleader of the present day will be able to decide, in what space of time, or whether even at all, he could bring forward the various questions which the parties have very properly raised

structive account of the mode of oral pleading, and he has given a very different account for the decline of pleading to that attributed to him by Sir L. Peel, for, as the passage, I have cited above, shows, he ascribes the change from oral pleadings to pleadings written out of Court as the great cause of the defective system existing in his own day, and he brings forward quite in the last place the reason selected by Sir L. Peel. See 1 Hale's C. L. 303-5.

lon of Wine in satisfaction of the action, which gallon of Wine the plaintiff accepted; and he demanded judgment accordingly. And then Fortescue Serjeant of Counsel with the plaintiff: it is no plea unless you say that there was an accord betwixt the plaintiff and defendant. Markham answered I shall say no more. Newton, the Chief Justice, who gave the rule in the case; it is the best pleading as Markham has pleaded, in my opinion, and substantial enough; for, if he has given the plaintiff a gallon of Wine for the same trespass, which the plaintiff has received, what would you then?

And afterwards Fortescue denied the receipt of the gallon of Wine in satisfaction of that trespass." See 1 C. B. 785.

(Signed) E. PERRY.

26th May 1847.

APPENDIX C.

SKETCH OF FRENCH PROCEDURE (a).

Small causes in France up to 100 francs are instituted before the Juge de Paix. The proceedings are summary, written pleadings are prohibited, although the parties may deliver to the Judge written statements of their case, the parties are examinable, and an appeal lies on demands exceeding 50 francs to the Court of Premiere Instance.

Commercial causes are tried before special tribunals called Tribunaux de Commerce, proceedings are summary, parties are obliged to appear in person or by some one constituted specially for the purpose, and the agency of attorneys is not required, as it is in all French Courts, except those of Commerce and of the Juge de Paix.

All other causes are brought before the Tribunaux de Premiere Instance, who decide without appeal on matters to the value of 1,000 francs, and above that sum, appeal lies to the Cour Royale.

(a) The authorities for the above sketch are *Le Code de Procédure civile*, commentary upon it by Rogron—Bruxelles 1838, *Lois de la procédure civile* par. Carré 3 ed. par Chauvean Adolphe, 6 vol Paris, 1843.

As these Courts exercise the functions of our Courts in Westminster Hall both of Law and Equity, and also of the Courts at Doctor's Commons, it becomes interesting to examine the system of uniform procedure which they have adopted.

Procedure in the Court of Premiere Instance.

1. Before an action is brought, the complainant must have summoned the defendant *en conciliation* before the Juge de Paix, and it is only on certificate of the attempt at conciliation having failed that a right of action accrues.

Rogron, p. 26, observes that this preliminary meeting operates exceedingly well in the Provinces, but not so well in Paris and the large towns, where the Juge de Paix is but little known, and carries no weight with him. In the more recent Codes of Geneva, and the Pays Bas, a voluntary appearance *en conciliation* has been substituted, and seemingly with the approbation of French jurists. See I. Chauveau Adolphe, (p. 208).

2. A complainant must then constitute an Attorney (*avoué*) who instructs an Officer of the Court (*huissier*) to draw up a summons, called *l'ajournement*, which it is the duty of this Officer to serve and indorse, and the ultimate onus of any defect in form is generally thrown on this Officer.

3. *L'ajournement* contains the following points:

1st. Date, name, &c., of plaintiff and of his attorney, with intimation where notices are to be left.

2d. Names of the *huissier* and of defendant.

3d. Object of demand and statement of proofs.

4th. Mention of the Court where, and the day when defendant is to appear.

4. Within the time mentioned in the summons (usually eight days) the defendant must appoint an Attorney and signify it in writing to the opposite Attorney, in default of which the plaintiff may obtain judgment by default.

5. Within 15 days of the last step the defendant must put in his answer, stating his evidence, and making a tender to exhibit (*a*) it to the opposite Attorney.

6. Within 8 days the plaintiff may put his replication (not dissimilar to an amended bill) in which he—

1st. States his case.

2d. Examines the evidence of the defendant.

3d. Adduces the Law in his favor.

4th. Prays relief according to the prayer of his summons.

And these are all the pleadings which are allowed in taxation. The plaintiff, however, is not driven to reply,

(a) French Legislators consider proof by witnesses as so untrustworthy, that it is almost wholly prohibited. See Cod. Civ. art. 1341, the consequence is that the "evidence" referred to means exclusively written testimony.

but may set down his cause for trial at once on the defendant's plea.

7th. At the expiration of the above 8 days, either party may give notice of trial to the opposite Attorney.

8th. One day 'at least before the trial, the Attorney who sets down the cause for trial must file a *placet*, containing—' *des qualités des parties, des motifs, et des conclusions.*

9th. On the day fixed for the trial the opposite Attorney must deliver in a Statement of his case (*conclusions*) which is joined to the *placet*, and it would seem that notice of this must be given to the other side three days before the trial. See Rogron, p. 46.

10th. At the trial the parties may plead for themselves assisted by their Attornies, and the Court after hearing the case may pronounce final judgment. But if the pleadings and evidence leave the Court in doubt as to the facts, they may pronounce interlocutory judgment either for *un délibéré*, or *l'instruction par écrit*.

11th. A *délibéré* is 'of two kinds, by the first the Court merely adjourn the case for discussion amongst themselves (equivalent to our C. A. V.) or they refer it to a single Judge to report upon for the consideration of the full Court.

12. *Instruction par écrit.* If the cause does not appear ripe for decision on the pleadings or *délibéré*, the Court orders that additional pleadings be furnished—in order to be laid before one of the Judges for his report.

[*A proceeding, says Rogron, p. 53, which entails 'formalités frais, et longueur's'*]

13. Within fifteen days after notice of the above interlocutory judgment the plaintiff must serve the defendant with his case (*Requête*) which must contain a statement of the proofs he relies on, and within 24 hours he must file his written evidence with the Registrar, technically called *production*.

14. Within fifteen days of the above production of proofs the defendant must put in his answer, and *produce* his own proofs.

15. Either party may after this *produce* new evidence (*nouvelles pièces*;) which he must deposit with the Registrar and may draw new *conclusions* from them.

16. The other side has then eight days to inspect the fresh evidence, that is, he may have the documents themselves placed in the hands of his Attorney; and at the end of that time he must answer.

17. If any facts are in dispute, to the proof of which witnesses are admissible the party on an allegation setting

them out may obtain a decree for an inquiry, or the Court may order it ex-officio.

18. The parties at every stage of the cause may also obtain an order of the Court on a similar allegation for the examination of the opposite side.

19. The Court may also order the appearance of the parties either ex-officio, or on the application of either side.

The following is a summary of the time required for bringing a cause to a hearing:

	<i>days.</i>
1st. Step—Summons and appearance to effect a compromise before the Juge de Paix (say)	4
2d. Application to Attorney and instructing him with state of case (say)	4
3d. Instruction by Attorney to Huissier to draw summons and service thereof (say) ...	3
4th. Summons to appear in eight days, ...	8
5th. Defendant's answer,	15
6th. Plaintiff's reply,	8
7th. Preparing <i>placet</i> and getting ready for trial (say on average,)	30
Total,	72

But this period only applies to cases where the points in issue are fully raised by the pleadings, where no examination of witnesses is necessary, or any other '*incident*' arises, and as by the above course the defendant has had no opportunity to answer the case made by the plaintiff in his amended bill, except by the *conclusions* which he brings into Court with him on the day of trial, it would seem probable that in all complicated cases, the Court must be driven to order the *instruction pær écrit*, in which case the opportunity afforded to litigious and dishonest suitors to protract the pleadings seems all that chicanery could desire.

General Remarks.—This system of procedure contains elements of some of the best methods of practise; discovery from the parties, their appearance in Court; communication of the evidence before trial, opportunity to bring the parties' whole case upon the record. The objections seem to consist in the length of a disputed cause which is evidently produced by written pleadings, in the reluctance to admit any evidence except written, and in many of the principles which I venture to characterize as valuable, not being brought sufficiently prominently forward. Thus, it is said that it is an exceptional and expensive proceeding to obtain discovery from the parties, see

Rogron p. 122; and the mode pursued seems ineffectual to elicit the truth from dishonest witnesses 3 Chauveau Adolphe 145. So also the appearance of the parties in Court though often resorted to is by no means made a *sine quâ non*.

But here also, as every where else, where approximation to the practise of examining the parties themselves as to the points in dispute is made, evidence is obtainable as to the efficient working of the principle: I quote from Rogron p. 58.

La comparation des parties, cette voie d'instruction est tres fréquemment ordonné soit d'office, soit sur la demande d'une des parties, parceque elle met les juges a porté, dans les affaires qui consistent en faits, a decouvrir beaucoup plus facilement la verité.

It is instructive also to remark that the power in the Court to order the appearance of the parties, only belonged, under the old French Law, to the *Tribunaux de Commerce*, but being found to operate most beneficially for the ends of justice, the practise was tacitly adopted by other Courts and finally was established as a universal principle in the Code Napoleon. 1. Chauveau Adolphe 588.

(Signed) E. PERRY.

29th May 1847.

APPENDIX D.

Memoranda by Mr. Wallace, on the Draft Act for the Improvement of Procedure in the Supreme Court.

Section 25. Equitable set off.

This Section attempts to do at Law, and according to the special pleading system what is often one of the most intricate operations in Equity, and often requires the *cestui que trusts* to be made parties at Law, and under the here proposed system, the latter are not parties, nor is it practicable to make them—hence we shall have multiplicity of actions, and actions over, by *cestui que trusts* against trustees, or rather suits in Equity to marshall the Equities disarranged by the special pleading system.

Is the trustee to establish his lien on the trust fund and the Court to make declaration to that effect in the absence of the *cestui que trust*?

The necessity of bringing collaterally interested parties before the Court is provided for in the Subordinate Court Act Section 19, but I don't see how it can be done in the special pleading procedure.

Section 26. Balance recoverable by defendant in plea of set off.

In Equity, this is a matter of course, and without hardship to plaintiff, he having fair notice on the pleadings, and therefore no surprise, and therefore always consistent with the "justice of the case." But in special pleadings justice or even evidence of case is not known till trial at Nisi Prius, therefore till after all expence of trial incurred justice of case is not known to defendant any more than to Judge therefore defendant will be unable to speculate before hand whether the justice of the case will entitle him to recover his balance on plea of set off and therefore not able to decide whether he should plead set off, or bring cross action. I don't think this an improvement at all, a defendant with a good case will often miscarry, at all events there ought surely to be some provisions made to obviate the effect of what I believe is the present rule that a verdict against defendant on a plea of set off is a bar to a future action by him on the demand.

Section 27. Choses in action assignable at Law.

This Section seems to be founded on a notion that the rights of parties to assignments of all descriptions of choses in action can be as easily handled by the special pleading system as the particular class of rights arising out of assignments of Bills of Exchange, &c. But the existing modes of assignment of choses in action good in Equity are infinitely less strict than the Law of indorsements, &c. This species of property does not admit of Judicial investigation at arms length and on the non disclosure of evidence principle. Imagine going down to try an issue of "notice" or "no notice" as proposed by this Section. Evidence got up at random, to defeat a case of which neither the client nor his legal adviser learns any thing from the pleadings. In Equity if the same issue is raised every single fact, word, deed or document, constituting a link in the chain must be stated on the pleadings and a defendant has the opportunity of giving in at once, if his Counsel advise him, which in Equity his Counsel has the means and opportunity of doing, that those facts if true constitute equitable notice, or if he denies them he is enabled to prepare himself with such evidence as, and no more than, will be to the purpose. In nine cases out of ten the evidence of one party in such an issue as this, at Law, would be a complete surprise on the legal adviser of the other, for though those facts may possibly have been known to the client they will in many cases be such that it would never occur to him as necessary to give a detail of them to his Attorney, not knowing, as how should he know, the meaning of the word "notice" in all the latitude (a great deal too large) allowed to it in a Court of Equity, or that such and such facts when brought together will satisfy the technical definition of it.

Section 28. Discovery on rule to shew cause. I think there can be no doubt that this mode of getting discovery in aid of an action at Law would be both more tardy and more expensive than the present mode (that it is more so in both respects than in a system of procedure where upon a plaint consisting of articulate propositions the plaintiff would be entitled as a matter of course (saving just exceptions, as privileged communications, &c.,) to an articulate answer in one and the same proceeding there can be no question) for according to the present system the bill of discovery can be filed at least as early as the party could move on affidavits for the proposed rule nisi, and the bill when filed must according to the present system be answered instantly, unless the defendant's Counsel is willing to risk his reputation as a pleader by putting in a demurrer—a step of which the undivided responsibility lies upon him, and which he is naturally averse to take unless in clear cases—the question before him being not what are the merits or the hardship of the case but simply whether the bill as it stands is demurrable. Now to compare the probabilities of an early and unlitigated discovery under this the present system, with the course likely to be taken under the proposed practise, it is to be borne in mind that discovery in aid of an action at Law, is what the party defendant himself is always most anxious to avoid—the very fact of his antagonist having recourse to the unusual step of asking for a discovery, being a clear admission that without it, he must fail in his action; and the strongest motive is therefore afforded for resisting it if possible (this it will be observed is a consequence of the injurious division of jurisdiction.) It is therefore certain that in very many cases, where under the present system, Counsel would perforce have drawn the answer at once, the client himself when invited to shew cause why he should not give discovery, will get up a case on affidavit, and time will be wasted, and expence incurred in debating the question whether the facts of the case justify that discovery which ought to be treated as an integral portion of every legal pursuit, but which, owing to the present (and equally to the proposed) method of treating it as an exceptional case and entitled to the formalities of a separate procedure, is practically regarded as a sort of forensic torture lawfully to be resisted.

The proposal towards the end of this Section empowering the Court to impose *terms* on the party applying for discovery and to make discretionary order as to *costs*, will be sure to have the effect of always drawing out the defendant on the rule to shew cause, *terms* and *costs* being always fair fighting ground. I think the present system is better, discovery unconditional (unless bill demurrable) and costs to be paid as soon as answer sufficient, but perhaps costs of discovery to be costs in the action would be better, though

discovery is sometimes asked for where the plaintiff has evidence enough at Law and merely *Ex majori cautela* to provide for contingencies at *Nisi Prius*.

The wording of the latter part of this Section seems to be wrong "such order as to costs" "as may be necessary to enforce discovery," I read it. It must mean "such order, &c.," "as shall seem just."

Sections 31, 32, 33. 34; Petition procedure.

The alterations introduced by these Sections seem to be merely petitions and affidavits instead of bill with interrogatories and answer, I believe that while in some cases this will work more cheaply than the present system, it will in many other cases lead to a dead lock, with the affidavits, which the defendant may file *ad libitum*, without being exposed to the necessity himself of answering articulately on interrogatories or otherwise, for no answer is provided for, and the means of escape from such a dilemma, which is often resorted to in Equity, by directing an issue, is a thing which can only be done where a bill has been filed and suit regularly instituted. See Section *infra*. Again, the petitioner must have power to amend on the affidavits coming in, and certainly I should say power to compel an answer, and I also doubt the policy of compelling a complainant to state his case in the first instance on oath, a dishonest man will hope to better himself by swearing confidently to matters of which he probably has little more than suspicion, while a conscientious man will have no option but to disclose every weakness or every imperfectly ascertained portion of his case, many an honest case is only known to the plaintiff at the outset upon suspicion, or even still more hypothetically, and thus, if a statement on oath is required in the first instance, it will operate greatly to the encouragement and prompting of the mode of defence, whereas in a statement made merely for the logical purpose of raising definite issues the same case might without any offence to good morals, receive, if not stated on oath, from the pleader or moderator of the pleadings an enunciation in a form of more positive allegation. Under this petition procedure there will often be a necessity, though I see no provision, for *injunctions, receivers, ne exeat, issues, processes* which at present can only be issued on bill filed. And the case does not seem to fall within Section 35.

Section 36. A suit for specific performance when there is only a dispute as to conditions of sale, &c. ought to be mutual, i. e. if defendant admits the contract except as to particular *terms*, which are in dispute, and proves them he ought to be entitled to a decree. And this he is entitled to now, if the plaintiff brings the case to a hearing, but plaintiff may dismiss his bill whenever he likes, and defendant must then file his cross bill, this Counter Equity is more often met with in suits for an account, but in those also defendant has no power to bring the cause to a hearing. I

think in all cases when the decree made at the hearing of the cause, if brought to a hearing, would ensure for the benefit of either party, that either party e. g. the defendant, should after pleading his cross or counter demand be allowed to bring the cause to a hearing himself for the purpose of getting his decree, and avoiding the necessity of filing a cross suit. And while on this subject, why should not a defendant who has occasion for discovery from the complainant, be enabled to interrogate him on the allegations,

(*α*) As a defendant may do in Ecclesiastical Court procedure. E P. in his answer (*α*) without putting him to the expense of turning that answer into a cross bill.

Section 37. I think it would be an improvement to enact that when exceptions had been taken to an answer for insufficiency, and not submitted to, the answer should be set down for hearing before the Court on the exceptions, when if the answer was found sufficient, the exceptions should be overruled, and if the answer be found insufficient, the defendant appearing in person should forthwith be interrogated and give sufficient answer *vivâ voce* which should be taken down by the Registrar, and added as a supplement to his former answer.

Section 40. Issues.

“In the like manner and on the like conditions as on the Equity side.” Now on the Equity side an issue can only be directed in a suit regularly instituted by bill filed (on interlocutory *applications* they can, but only in the course of a regular suit) there should therefore be the provision alluded to under Section 31, for directing issues on *Petition Procedure* and in proceedings Ecclesiastical and in Admiralty, whether *Plenary* or *Summary*, to the latter of which descriptions nine-tenths of that division of procedure belong.

Section 41. *Vivâ voce* Evidence.

“Suits” under *Petition* procedure, therefore, which according to the ordinary existing phraseology does not fall under denomination of “*Suit*,” witnesses are not to be examined at all, and the only evidence will be on affidavit?

“Witnesses” to be examined *vivâ voce*, will this include *parties* when examined before the Master as often happens and does the “*other Officer of the Court*” mean or include the Master?

GENERAL RESULT.—The Supreme Court with its procedure as altered by this Act will possess systems of procedure which may be classed as follows.

1. The old special pleading system in which evidence is taken *vivâ voce*, but no disclosure of it is made till the hearing, and in which compulsory discovery of either party of the facts within his knowledge, which aid his opponent's case, can only be obtained by a collateral, anomalous and expensive proceeding.

2. The new petition and affidavit system with disclosure of all evidence to be relied on, on either side, but without compulsory discovery obtainable from either party. Evidence all on written depositions.

3. The old Equity and Ecclesiastical, plenary suit procedure with the new reform of viva voce evidence, with full disclosure of all evidence before the hearing, and compulsory discovery from party defendant as of course, but from party complainant only on exceptional and expensive proceeding. Now the complete preliminary disclosure of all proposed proofs, and a matter of course discovery by *each* litigant party of what he knows to be true in the other's case, seem to me to be essential in every perfect system of procedure. Essential as securing fair play to the parties, and essential as affording to the Court the grounds of a reasonable confidence that the decision it makes is made on the real merits, and on the questions which are seriously in dispute between the parties, and which they came to the Court to have decided, rather than on issues which the technicalities of the procedure may have been the means of raising between the Lawyers employed, and of those essential requisites of a good system, I think there can be no doubt that the Equity procedure of our Court embodies more than the others, and I think the tendency of this Act in favor of the Law system is so far a wrong one. But however that may be, there can be no doubt that a system might be constructed, if practical men would set about it, possessing all those essential attributes and competent to the investigation on one uniform plan of all questions of right, legal and equitable, without the great prolixity and consequent expense of Equity pleadings; indeed the feasibility of a uniform procedure of that description is established by the experience of other countries, and the only argument against the introduction of such a system, to the supercession of all the separate systems at present existing, seems to be derived from the notion that a discovery compelling and evidence disclosing system is necessarily and in all cases (however simple may be the features of the case it is dealing with) tardy and costly, and would therefore operate oppressively in many of the cases cheaply decided under the special pleading system at Law. For myself I think nothing more is wanting to expose the fallaciousness of this supposition, than the careful preparation of a formulary adapted to the proposed system, to the construction of which the working of the viva voce procedure in the same department of Judicial enquiry in the Subordinate Court at Calcutta will probably be found to contribute some valuable because practical suggestions.

26th May, 1847.

ARMY (EAST INDIA)

RETURN to an ORDER of the Honourable The House of Commons,
dated 18 February 1850, —for,

A RETURN " showing the Number of KILLED, WOUNDED, and DEATHS, and the Number of MEN sent into HOSPITAL in the course of the Year 1848, in each of the undermentioned CORPS employed during that Period in the Operations against the Rajah of *Ungool*, and on the Field Service in *Goomsoor* and *Boad* —18th Regiment N I, 22d Ditto, 29th Ditto, Detachment 29th Ditto, 41st Ditto, B. Company, 5th or *Golundauze* Battalion of Artillery, including the *Karkhana* Establishment "

" And, STATEMENT showing the number of DEATHS in each of the undermentioned CORPS consequent upon Disease contracted during the Service in the *Goomsoor* Districts in 1848 — 18th Regiment N I, 22d Ditto, 29th Ditto, 41st Ditto, B Company, 5th Battalion of Artillery "

Ordered, by The House of Commons, to be Printed, 19 February 1850.

RETURN showing the Number of KILLED, WOUNDED, and DEATHS, and the Number of MEN sent into HOSPITAL in the course of the Year 1848, in each of the undermentioned CORPS employed during that Period in the Operations against the Rajah of *Ungool*, and on the Field Service in *Goomsoor* and *Boad*

CORPS	Numerical Strength	Killed	Wounded	Died	Admitted into Hospital	REMARKS
18th Regiment N I	706	-	2	2	688	- - Whilst employed on Field Service in the <i>Goomsoor</i> and <i>Khond Malahs</i> .
22d - ditto	876	-	-	-	220	- - Whilst employed against the Rajah of <i>Ungool</i> .
29th - ditto	864	-	-	-	316	Ditto - - ditto.
Detachment 29th ditto	213	-	-	-	146	Ditto - - ditto.
41st - ditto	919	-	-	8	392	Ditto - - ditto, and on Field Service in <i>Goomsoor</i> and <i>Boad</i> .
B. Company, 5th or <i>Golundauze</i> Battalion of Artillery, including the <i>Karkhana</i> Establishment.	214	-	-	1	20	- - Whilst employed against the Rajah of <i>Goomsoor</i> .

Adjutant-General's Office, Fort St. George, }
31 August 1849

(signed) *W. G Woods,*
Assist' Adjut'-Gen' of the Army.

DEATHS FROM DISEASE CONTRACTED IN GOOMSOOR, 1848.

STATEMENT showing the Number of DEATHS in each of the undermentioned CORPS consequent upon Disease contracted during the Service in the Goomsoor Districts in 1848.

CORPS	Number of Deaths	REMARKS
18th Regiment N. I.	4	
22d - ditto	3	
29th - ditto	4	
41st - ditto	5	-- Two casualties occurred among the European Officers in this Regiment
B. Company, 5th Battalion Artillery	None.	

Adjutant-General's Office, Fort St George,
8 November 1849.

(signed)

R. J. H. Vivian,
Adjut'-Gen' of the Army.

(True copies.)

East India House,
7 February 1850.

(signed)

Philip Melvill,
Secretary Military Department.

(signed)

James C. Melvill.

ARMY (EAST INDIA).

RETURN showing the Number of KILLED, WOUNDED, and DEATHS, and the Number of Men sent into HOSPITAL in the course of the Year 1848, in the Corps employed during that Period in the Operations against the Rajah of Uingool, and on the Field Service in Goomsoor and Boord.

(*Mr. Secretary-at-War*).

Ordered, by The House of Commons, to be Printed,
19 February 1850